

Pooja K.

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

SECOND APPEAL NO. 290 OF 1994
WITH
CIVIL APPLICATION NO. 6288 OF 1994
WITH
CIVIL APPLICATION NO. 1332 OF 2023
WITH
CIVIL APPLICATION NO. 1330 OF 2023
WITH
CIVIL APPLICATION NO. 1331 OF 2023
WITH
CIVIL APPLICATION NO. 6497 OF 2014
WITH
CIVIL APPLICATION NO. 8731 OF 2007
IN
SECOND APPEAL NO. 290 OF 1994
WITH
CIVIL APPLICATION NO. 1329 OF 2023
IN
CIVIL APPLICATION NO. 8731 OF 2007

Ramdas Bandu Patil (died)	
Thr LRs Kasubai Ramdas Patil and Ors.	... Appellants
<i>Versus</i>	
Laxman Bandu Patil and Ors.	... Respondents

...

Mr. A.S. Gandhi – Advocate for Respondent Nos.1-a to 1-f
Mr. A.M. Gholap – Advocate for Appellant No.2
Mr. S.C. Bora – Advocate for Respondent Nos.2A, 2-C to 2-H

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CORAM : GAURI GODSE, J.
DATE : 28th February, 2023

PER COURT :

1. Civil Application No.6497 of 2014 is filed by the heirs and legal

representatives of deceased appellant no.1, who are party appellant nos.1-a to 1-f in Second Appeal. The applicants have filed this application for permission to withdraw the Second Appeal unconditionally to the extent of deceased appellant no.1 in Second Appeal.

2. Learned counsel appearing for all the parties state that, parties have settled their dispute amicably and have signed the Consent Terms. The Consent Terms are verified by the learned Registrar (Judicial) and report is placed alongwith the terms. All the parties who have signed the Consent Terms are present in the court.
3. In view of the above, the Consent Terms alongwith report of the learned Registrar (Judicial) is taken on record and marked as “X” for identification with today’s date.
4. The Second Appeal is disposed of in terms of the Consent Terms.
5. Decree be drawn up in terms of the Consent Terms.

6. The learned Registrar (Judicial) to ensure that hard copy of the Consent Terms is permanently retained with the Second Appeal, as part of record and is not sent for destruction in ordinary course.
7. Civil Application No. 6497 of 2014 is allowed and appellant nos.1-a to 1-f in Second Appeal are allowed to withdraw the Second Appeal to their extent.
8. Civil Application No.6288 of 1994 does not survive as the Second Appeal is disposed of hence, the same is disposed of as infructuous.
9. Civil Application No.1330 of 2023 is disposed of as infructuous.
10. Civil Application No.1329 of 2023 is disposed of as infructuous.
11. Civil Application No.1331 of 2023 is filed for bringing on record names of heirs and legal representatives of deceased respondent no.2-A. The heirs and legal representatives of deceased respondent no.2-A have signed the Consent Terms. The delay for filing this application is condoned and abatement

is set aside. Appellants are permitted to bring names of deceased respondent no.2-A on the record of Second Appeal.

12. Amendment to be carried out forthwith.
13. Civil Application No. 8731 of 2007 is disposed of as infructuous in view of the Consent Terms.

[GAURI GODSE]
JUDGE