

Pooja K.

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY**  
**BENCH AT AURANGABAD**

SECOND APPEAL NO. 600 OF 2021  
WITH  
CIVIL APPLICATION NO. 12658 OF 2021  
IN  
SECOND APPEAL NO. 600 OF 2021

|                                                               |                 |
|---------------------------------------------------------------|-----------------|
| Gulab Sahebrao Chaudhary                                      | ... Appellant   |
| <i>Versus</i>                                                 |                 |
| Satish Bhaju Badgujar and Ors.                                | ... Respondents |
| ...                                                           |                 |
| Mr. B.B. Kulkarni h/f. Mr. T.K. Sant – Advocate for Appellant |                 |
| Mr. M.M. Bhokarika – Advocate for Respondent Nos.1 to 8       |                 |
| ....                                                          |                 |

**CORAM : GAURI GODSE, J.**  
**DATE : 31<sup>st</sup> January, 2023**

**PER COURT :**

1. On 19<sup>th</sup> January, 2023 the compromise pursis is already taken on record and marked as 'X' for identification. The compromise pursis was only signed by appellant and respondent nos.1. Hence, time was granted for filing affidavit-cum-undertaking of respondent nos.2 and 3 thereby accepting the compromise pursis. Affidavit-cum-undertaking of respondent nos.2 and 3 is filed before the executing court at exhibits nos. 62 and 63, copies of the same are taken on record.
2. Appellant shall file an undertaking for compliance of all the

terms and conditions of the compromise pursis.

3. Respondents are granted one week time to deposit the amount. Appellant is granted six months time from today, to handover possession of the suit property to the respondents.
4. The Second Appeal is therefore disposed of in terms of compromise pursis dated 19<sup>th</sup> January, 2023, subject to appellant filing an undertaking within two weeks from today as stated herein above.
5. Appellant will be entitled to withdraw the earnest amount that will be deposited in this Court by the respondents, after possession of the suit property is handed over to the respondents and possession receipt is produced on record.
6. Once terms and conditions are complied with as stated above, decree be drawn in terms of compromise pursis.
7. In view of the present order pending Civil Applications shall stand disposed of.

**[ GAURI GODSE, J. ]**