

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**SECOND APPEAL NO.123 OF 2022
WITH
INTERIM APPLICATION NO.805 OF 2022
IN
SECOND APPEAL NO.123 OF 2022**

Rajendrakumar Dashrath Kale ...Appellant

Versus

Dashrath Deoram Kale and Ors. ...Respondents

...

Ms Rama Somani with Mr. Chetan Alai for the Appellant.

Mr. Sachin Gite for the Respondents.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 8th NOVEMBER, 2023.

P. C. :-

1. The Appellant herein, who was the original Plaintiff had challenged the judgment and order dated 20/01/2020 whereby the learned District Judge-5, Nashik, dismissed the Regular Civil Appeal No.403 of 2016 and confirmed the judgment and decree dated 04/07/2016 passed by the learned Joint Civil Judge, Junior Division, Sinnar, Nashik in Regular Civil Suit No.153 of 2010.

2. Learned counsel for the Appellant and the Respondents state that during the pendency of this appeal, the parties have arrived at an amicable settlement. They have placed on record the consent

MEGHA
SHREEDHAR
PARAB

Digitally signed by
MEGHA
SHREEDHAR PARAB
Date: 2023.11.10
17:50:45 +0530

terms, which are duly signed by all the parties and their respective counsel. The Appellant as well as the Respondents are present before the Court. They have been identified by their respective counsel. They confirm their signatures on the consent terms and confirmed the contents of the consent terms as well as family partition deed, copy of which is annexed to the consent terms. Since the parties have arrived at consent terms willingly on their own volition, second appeal stands disposed as per the consent terms.

3. The decree is modified as per the consent terms. Partition deed shall form part of the consent decree.

4. The appeal as well as the civil application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)