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

CIVIL REVISION APPLICATION NO.194 OF 2009

Sayed Akbar S/o Sayed Ibrahim Kadri
Since Deceased Through Legal Heirs
1/a. Sayed Aktar S/o Sayed Akbar Kadri and Ors. ...Applicants
Versus
Vishwanath S. Kaup ...Respondent

- Mr. Rajiv Anant Jadhav, for the Applicants.
- Mr. D.V. Sawant a/w Priyank Kulkarni i/b. P.S. Chambers, for the Respondent.

CORAM : MADHAV J. JAMDAR, J.

DATE : 10th JULY 2023

P.C. :

1. Heard Mr. Rajiv Jadhav, learned counsel appearing for the Applicants and Mr. D.V. Sawant, learned counsel appearing for the Respondent.

2. Both the learned counsel state that the dispute between the parties has been settled and accordingly, Consent Terms are executed between the parties. As per the settlement, certain amounts are to be paid by way of separate Demand Drafts to various Applicants and the possession of the suit premises is simultaneously agreed to be handed over to the Respondent.

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3. Applicant Nos.1/a, 1/b, 2 to 4, 5/a and 5/b and 7 are personally present in Court. Applicant No.5 has passed away and his heirs i.e. Applicant No.5/a to 5/d are brought on record. Applicant No.5/a and 5/b are present in the Court. Applicant No.5/c – Humza Prveen @ Rani Sayed Munawar has executed Power of Attorney dated 10th July 2023 in favour of her mother – Zulekha Sayed Munawar. Applicant No.5/d i.e. Saba Sayed Munawar Kadri has executed the Power of Attorney dated 10th July 2023 in favour of her brother i.e. Applicant No.5/b – Mudassar Sayed Munawar. Mr. Jadhav, learned counsel states that Applicant No.6 – Mrs. Syed Rashida Kadri alias Rashida Moinuddin Sayed is bedridden and therefore, she has executed affidavit dated 9th July 2023 confirming that the dispute between the parties is settled in terms of the Consent Terms.

4. The Respondent i.e. Vishwanath Kaup is present in the Court.

5. The Applicants as well as the Respondent who are present in the Court state that the dispute between them is settled in accordance with the Consent Terms which are signed by the respective parties. The signatures of the respective parties are identified by the respective Advocates. The Consent Terms are also notarized before

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the Notary on 10th July 2023. The said Consent Terms are taken on record and marked 'X' for identification. The Power of Attorney dated 10th July 2023 executed by the Applicant Nos.5/c – Humza Prveen alias Rani Munawar is taken on record and marked 'X1' for identification, Power of Attorney dated 10th July 2023 executed by the Applicant No.5/d – Saba Sayed Munawar Kadri is taken on record and marked 'X2' for identification. The affidavit of Applicant No.6 – Mrs. Syed Rashida Kadri is taken on record and marked 'X3' for identification.

6. The undertakings as contained in the Consent Terms are accepted. Both the parties state that the Demand Drafts which are mentioned in the Consent Terms are received by the respective Applicants and the keys of the suit premises are handed over to the Respondents.

7. Accordingly, Civil Revision Application is disposed of in terms of the Consent Terms by accepting the undertakings in the Consent Terms.

[MADHAV J. JAMDAR, J.]