

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.611 OF 2022
WITH
CIVIL APPLICATION NO.4318 OF 2016

Mr.Viraj Vishwanath Pawaskar

...Appellant

Versus

Mr.Ashok Uttma Nagvekar & Ors.

...Respondents

Mr.Rakesh Bhatkar, for the Appellant.

Mr.S.S. Redekar, for Respondent No.1.

Mrs.Poonam Mital, for Respondent No.3.

CORAM : S.G. DIGE, J.

DATE : 21 FEBRUARY 2023

P.C:-

. The learned counsel for the Appellant submit that the learned counsel for Respondent No.1 has informed him that Respondent No.2 is died during pendency of the Appeal. Hence legal heirs of Respondent No.2 be taken on record. He will carry out amendment forthwith. The Respondent No.2 has no objection for it.

2. Considering the submission of both learned counsel amendment to be carried out forthwith. Both learned counsel submit that the Appellant and Respondent No.1 has settled the matter.

3. Both learned counsel tendered the copy of the Consent Terms before the Court. It is taken on record and marked as Article 'X'. This Court asked the Appellant and the Respondents present in the Court about terms mentioned in the Consent Terms. Both agreed that they have signed the Consent Terms.

4. Considering the submission of both learned counsel and in view of the Consent Terms, the Appeal is disposed of.

5. Both the learned counsel submit that Appellant satisfied with award in respect of his share and the Respondents would not file execution proceedings against the Appellant. Statement of both learned counsel are accepted.

6. The learned counsel for Respondent submit that newly added Respondent's are present in Court and he is appearing on their behalf.

(S.G. DIGE, J.)