



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 SECOND APPEAL NO. 451 OF 2021

WITH

CIVIL APPLICATION NO. 2350 OF 2021

IN SA/451/2021

SHIVAJI BAPURAO SHINDE AND OTHERS

VERSUS

BHANUDAS PANDHARINATH SHINDE AND ANOTHER

...

Mr. Gholap Ajit M., Advocate for Appellant

Mr. Narendra B. Patekar, Advocate for Respondent No.1.

CORAM : Y. G. KHOBRAGADE, J.

DATE : 18th April, 2024

ORDER:

1. In pursuance of the order dated 11.01.2024, the learned Mediator Mr. S.S. Manale submitted a Mediation Successful Report dated 12.03.2024 alongwith settlement agreement. It is taken on record and collectively marked as 'X' for identification along-with Map Exh.65 prepared by the Deputy Superintendent of Land Record, Ahmednagar. As per the Mediator Report, the parties have settled the dispute in terms of condition Nos. (I) to (XII) of the Settlement Agreement 'X'. It is signed by all the parties to the appeal. Therefore it would be just and proper to dispose of the present appeal in terms of mediation report/Settlement Agreement 'X', which is part and parcel of the order. The decree be drawn in terms of the mediator report Exh. X.

2. The impugned judgment and decree dated 25.07.2018 passed by the learned Ad-hoc District Judge-7, Ahmednagar in RCA No. 395 of

2013 arising out of judgment and decree dated 08.11.2013 passed by the learned 2nd Joint Civil Judge, Senior Division, Ahmednagar in RCS No. 130 of 2009 is hereby quashed and set aside.

3. The parties to the appeal shall jointly deposit Rs.15,000/- before this Court towards fees of the Mediator, within a period of one week.

4. Pending Civil Application stands disposed off.

(Y. G. KHOBRADE, J.)

JPChavan