

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1098 OF 1995

Manikchand Vitthalaldas Rathod

(Since deceased through his legal representatives)

1. Champakwar alias Champabai Manikchand

Rathod and Ors.

... Appellants

Versus

The State of Maharashtra and Anr.

... Respondents

WITH

FIRST APPEAL NO. 1112 OF 1995

Agatrao Dajiba Patil

(Since deceased through his legal heirs)

1. Shivaji Agatrao Patil and Ors.

... Appellants

Versus

The State of Maharashtra and Anr.

... Respondents

.....

Ms. S. S. Mohanty i/b. T. D. Deshmukh, Advocate for the Appellants.

Mr. A. R. Patil, Addl. G.P. for the Respondent-State.

Mr. Suraj Subhash Patil i/b. Ramesh Dube Patil, Advocate for Respondent-MKVDC

CORAM : ARUN R. PEDNEKER, J.

DATED : 29th JULY, 2024.

P.C. :

1. By order dated 05.07.2024 this Court had directed the Registrar (Judicial-II) to verify the Consent Terms filed in the present appeals i.e. F.A. 1098 of 1995 and F.A. 1112 of 1995. The parties remained present before the Registrar (Judicial-II) and the Registrar (Judicial-II) has

submitted a report dated 09.07.2024. The said report is taken on record. The Registrar (Judicial-II) has verified the consent terms and in its report Registrar (Judicial-II) has stated that 2A, 2C and 2D had granted special power of attorney in favour of appellant No.2B in F.A. 1098 of 1995 duly authorising Appellant No. 2B to sign the consent terms on their behalf.

2. The Registrar (Judicial-II) has also verified the original special power of attorney in favour of the appellant No.1A in First Appeal No. 1112 of 1995. Appellant No.1B, 1C, 1D and 1E have executed special power of attorney in favour of appellant No.1A. The original power of attorney is verified by the Registrar. The Registrar has also stated in his report that the parties have entered in consent terms voluntarily without any force or fraud.

3. In view of the report of the Registrar (Judicial-II), the Consent Terms are taken on record and the First Appeals are disposed of in terms of the Consent Terms.

4. In view of disposal of the appeals, all pending applications, if any, also disposed of.

(ARUN R. PEDNEKER, J.)