

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

**SECOND APPEAL NO.229 OF 2022
WITH
INTERIM APPLICATION NO.1681 OF 2022
IN
SECOND APPEAL NO.229 OF 2022**

Sitaram Haridas Bhandari
since deceased through LHs
Kusum Sitaram Bhandari & ors.
V/S
Vinesh Vasant Ghadge & ors.

....Appellants/Applicants

....Respondents

Ms. Sneha S. Bhange a/w Mr. Tejas K. Kamble i/b Mr. Chaitanya B. Nikte
for the Appellants/Applicants.
Mr. Abhijit Devkhile *for Respondent No.3.*

CORAM: SANDEEP V. MARNE, J.
DATE : 19 APRIL 2024.

P.C.:

1 It is reported that the Appeal has already been disposed of qua Defendant Nos.1 and 2 in view of the Consent Terms which are taken on record by this Court vide order dated 20 June 2023. The Second Appeal is admitted only against Defendant No.3 by order dated 20 June 2023.

2 It is now submitted that even Respondent No.3 has settled disputes with the Appellants. Accordingly, Consent Terms executed between

Appellants and Respondent No.3 are tendered. Consent Terms are signed by Appellant Nos.2 and 3 and by Respondent No.3. All of whom are present before this Court. They admit their signatures on the Consent Terms as well as contents thereof. The Consent Terms are also signed by respective advocates appearing for the parties. It appears that the Advocate who had filed caveat on behalf of Respondent No.3 is not reachable on account which Mr. Devkhile is unable to file his Vakalatnama which is executed by Respondent No.3. Respondent No.3 is personally present before this Court. In that view of the matter Mr. Devkhile is permitted to file his Vakalatnama without an endorsement of 'no objection' of the earlier advocate. Let Vakalatnama be filed during the course of day. Accordingly, Mr. Devkhile has also signed Consent Terms as advocate of Respondent No.3. The Consent Terms are taken on record and marked 'X' for identification. The Second Appeal is accordingly disposed of even against Respondent No.3 as per the Consent Terms. Thus the entire Second Appeal stands disposed.

3 In view of the disposal of the Second Appeal, Interim Application would not survive. The Interim Application is disposed of.

(SANDEEP V. MARNE, J.)

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