

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

**SECOND APPEAL NO. 1026 OF 2005  
WITH  
CIVIL APPLICATION NO.1499 OF 2006  
IN  
SECOND APPEAL NO. 1026 OF 2005  
(NOT ON BOARD)  
WITH  
CIVIL APPLICATION NO.523 OF 2004  
IN  
SECOND APPEAL NO. 1026 OF 2005  
WITH  
CIVIL APPLICATION NO.1738 OF 2008  
IN  
SECOND APPEAL NO. 1026 OF 2005**

Sou. Laxmi Bharmu Khavanewadkar ...Appellant

vs.

Shri. Vithoba Subhana Gavade @ Patil ...Respondent

....

Mr. Rupesh Lanjekar, for the Appellant.

Mr. Kunal Damle, for the Respondent.

....

**CORAM : R.N. LADDHA, J.**

**DATE : 15 FEBRUARY 2024**

**P.C. :**

**Civil Application No.1738 of 2008 In  
Second Appeal No. 1026 of 2005**

. This is an application for condonation of delay and to

restore Civil Application No.1499 of 2006 (Not on Board) to the file of this Court.

2. For the reasons stated in the application, the delay is condoned and Civil Application No.1499 of 2006 is restored to the file of this Court.

3. Civil Application No.1738 of 2008 stands disposed of.

Civil Application No.1499 of 2006  
In  
Second Appeal No. 1026 Of 2005  
(Not on board)

4. This is an application for bringing legal heirs of original respondent on record.

5. For the reasons stated in the application, the application is allowed and disposed of.

6. Necessary amendment to be carried out forthwith.

Second Appeal No. 1026 of 2005

7. Learned Counsel for the parties jointly submit that parties to this second appeal have arrived at a compromise and tender consent

terms along with special power of attorney signed by the appellant and respondent nos.1D and Respondent Nos.1C, 1E and 1F through their power of attorney. The same is taken on record and marked "X" for identification. They are identified by the respective parties.

8. In view of this, office to draw a consent decree as per the consent terms.

9. Second appeal stands disposed of.

10. In view of the disposal of the second appeal, pending civil application, if any, stand disposed of.

**(R.N. LADDHA, J.)**