

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.926 OF 2015
WITH
CIVIL APPLICATION NO.2012 OF 2015

Pandu Dadu Ramoshi
(Deceased Thr. Lrs)
Shivaji Pandu Malame
(Deceased Thr. Lrs)
Sajabai Shivaji Malame & Ors.

...Appellants/
Applicants

Versus

Santosh Rajaram Patole
(Thr. POA)
Rajaram Mahadeo Patole

...Respondent.

SECOND APPEAL NO.944 OF 2015
WITH
CIVIL APPLICATION NO.2029 OF 2015

Pandu Dadu Ramoshi
(Deceased Thr. Lrs)
Shivaji Pandu Malame
(Deceased Thr. Lrs)
Sajabai Shivaji Malame & Ors.

...Appellants/
Applicants

Versus

Santosh Rajaram Patole
(Thr. POA)
Rajaram Mahadeo Patole & Ors.

...Respondents.

*Adv. Bhushan Walimbe i/b Adv. Shashank P. Borade for the
Appellants/Applicants.*
Adv. Shivaji A Masal for Respondent No. 1.

Coram : Sharmila U. Deshmukh, J.

Date : April 15, 2024.

P. C. :

- 1.** The Appeals had been preferred against the judgments dated 24th April, 2015 passed by the Adhoc District Judge-1, Sangli in Regular Civil Appeal No. 293 of 2008 and 294 of 2008 reversing the judgment and decree passed in Regular Civil Suit No. 129 of 2003 and 179 of 2003.
- 2.** Learned counsel for the parties submit that they have arrived at a consensus that the judgments of the Appellate Court be set aside and the Appeals be remanded to the file of the Adhoc District Judge-1, Sangli to be decided afresh.
- 3.** In view of the consensus arrived at between the parties, the judgments dated 24th April, 2015 are hereby quashed and set aside. Regular Civil Appeal No. 293 of 2008 and 294 of 2008 are restored to the file of the Adhoc District Judge-1, Sangli to be decided afresh after hearing the parties. It is made clear that this Court has not gone into the merits of the matter and the Appeals are remanded in view of the consensus arrived at between the parties. All contentions of the parties are expressly kept open.

4. It is open for the parties to seek necessary interim relief before the Appellate Court if so advised. Appeals stand disposed of in the above terms.
5. In view of disposal of the Appeals, civil/ interim applications, if any, taken out therein does not survive for consideration and the same stand disposed of.
6. Considering that the Appeals are of the year 2008, the Appellate Court is requested to decide the Appeals expeditiously and in any event within a period of six months from the date of first hearing before the Appellate Court.
7. The parties are directed to appear before the Appellate Court on 12th June, 2024.

[Sharmila U. Deshmukh, J.]