

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.576 OF 2017
WITH
CIVIL APPLICATION NO.1082 OF 2017

Mrs. Sheela Arun More

...Appellant

Versus

Shri. Prakash Ramkrishna Vanarase

...Respondents

Mr. J. M. Joshi for Appellant.

Mr. Sandesh D. Patil a/w. Mr. Chintan Y. Shah i/b Ms. Anusha P. Amin for Respondent No.1.

Ms. Sheela A. More Appellant in person.

Mr. Prakash Vanarase present in person.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : 1st MARCH, 2024

P. C. :

1. After the appeal was argued for some time, learned counsel for the parties on instruction of the parties who are present in the Court arrived at consensus that the impugned judgment dated 6th June 2017 be set aside and the appeal be remanded to the Appellate Court to be decided afresh in a time bound manner.

2. In view of the consensus which has been arrived at between the parties, the impugned judgment 6th June 2017 is hereby quashed and

set aside and Civil Appeal No.155/2017 is restored to file of the District Judge, Pune to be decided afresh. The parties to remain present before Appellate Court on 12th March 2024. As the decree is of the year 2000 the Appellate Court is requested to decide the appeal expeditiously and in any event within a period of 6 months from appearance of the parties on 12th March 2024. The parties are directed to co-operate with the adjudication of the Appeal and not to seek unnecessary adjournments. It is agreed that till the appeal is decided by the Appellate Court the possession warrant will not be executed.

3. Second Appeal is disposed of in the above terms. Civil Application does not survive and is accordingly disposed of. Needless to clarify that the appeal is to be decided afresh without being influenced by the observations in the impugned judgment dated 6th June 2017.

(SHARMILA U. DESHMUKH, J.)