

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

**SECOND APPEAL NO.473 OF 2022  
WITH  
CIVIL APPLICATION NO.459 OF 2018  
IN  
SECOND APPEAL NO.473 OF 2022**

Sudhir Ramchandra Thakur  
Proprietor of M/s. Bhavya Realtors  
V/S  
Ram Hari Mhatre & Ors.

....Appellant/Applicant  
....Respondents

**WITH  
SECOND APPEAL NO.268 OF 2019**

Mahadeo Balu Mhatre & Ors.  
V/S  
Ram Hari Mhatre & Ors.

....Appellants  
....Respondents

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**Mr. Mohammed Zain Khan** a/w Mr. Ashraf Kapoor *for the Appellant/Applicant in SA 473 of 2022.*  
**Mr. Sachindra B. Shetye** a/w Mr. Manish R. Bohra, Mr. Akshay Pansare *for the Appellants in SA 268 of 2019.*  
**Mr. Rohit D. Joshi** *for Respondents in both SAs.*

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**CORAM: SANDEEP V. MARNE, J.**  
**DATE : 08 MAY 2024.**

**P.C.:**

1 It appears that Respondent No.3 in Second Appeal No.473 of 2022, who also Respondent No.2 in Second Appeal No.268 of 2019 is no more. Leave granted to bring on record his legal heirs. Amendment to be carried out

forthwith. Mr. Joshi would submit that he has instructions to appear on behalf of legal heirs.

2 The learned counsel appearing for the Appellants and the learned counsel appearing for the Respondents jointly submit that parties have amicably resolved disputes amongst them. Consent Terms are tendered which are signed by the Appellants and all the Respondents. Signatories to the Consent Terms are present before the Court. They admit their signatures/thumb impressions on the Consent Terms as well as contents therein. Consent Terms are taken on record and marked 'X' for identification. Statements made in the Consent Terms are accepted as undertakings given to this Court.

3 Both the Second Appeals are disposed of in view of the Consent Terms. Decree be drawn in accordance with the Consent Terms. R & P be returned to the Court.

4 With disposal of Second Appeals, Civil Application taken out for stay does not survive. The same is also stands disposed of.

**(SANDEEP V. MARNE, J.)**

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KATKAM  
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by SUDARSHAN  
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