



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 309 OF 2012

Sou. Jagubai Subhash @ Subhedar Gavade

...Appellant.

Versus

Shri. Sampat Dnyandeo Raut and Others.

...Respondents.

Mr. V. S. Talkute for the appellant.

Mr. Deepak Shinde for respondent no. 2.

Coram : Sharmila U. Deshmukh, J.

Date : March 12, 2024.

P. C. :

1. This Court is informed that the dispute between the parties has been settled and consent terms are tendered. Consent terms are taken on record and marked "X" for identification.

2. As per the consent terms, parties have agreed that by way of registered gift deed, half share in the property will be transferred in favour of husband of the appellant and the possession of remaining half share will be given by the appellant to the respondents on execution of the gift deed. To the consent terms are annexed copy of consent terms filed before the Divisional Commissioner, Pune. In those consent terms, it was agreed that gift deed will be executed in

favour of the appellant. Mr. Talkute would submit that subsequently there was an internal arrangement between the appellant and her husband pursuant to which by way of present consent terms, the appellant and her husband have agreed that the gift deed will be executed in the name of appellant's husband. He would submit that there is no dispute between the husband and wife, and power of attorney has been executed by the appellant in favour of her husband which is annexed to the consent terms.

3. The constituted attorney of appellant and respondent nos. 1 and 2 are present in Court. They re-iterate the contents of consent terms. Their identities are verified on the basis of their Aadhaar Cards. They are also identified by their respective advocates. The statements made in the consent terms are accepted as undertakings to this Court.

4. Second appeal is disposed of in terms of the consent terms.

5. In view of the disposal of second appeal, civil/interim application(s) taken out in this appeal, if any, does not survive and the same is disposed of.

[Sharmila U. Deshmukh, J.]