



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Second Appeal No. 458 of 2017

[Anilkumar s/o Totaldas Chelani and anr. **.vs.** Kuwarprakashchandra s/o Ramchandra
Srivastava and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. P. Kshirsagar, Advocate for the appellants
Mrs. Rashi Deshpande, Advocate for respondent nos. 1 and 2
Mr. A. D. Gabhane, Advocate h/f Mr. A. S. Joshi, Advocate for respondent
no. 3

CORAM : ANIL L. PANSARE J.

DATED : 18-12-2024

On 9-12-2024, following order was passed.

“Heard.

The counsels are ad idem that the matter has been amicably settled between the parties. The appellants/original plaintiffs are ready and respondent No.3 – Bank is willing to accept the amount of Rs.14,00,000/- towards full and final settlement of the claim of the bank. Further, appellant Nos.1 and 2 on one side are ready and respondent Nos. 1 and 2 on the other side are willing to accept the amount as will be decided between the parties towards consideration amount to execute the sale deed of the property under question. It has been further agreed between the parties that once the aforesaid amount is received, respondent Nos. 1 and 2 shall execute the sale deed in favour of the appellants.

This entire exercise shall be done within one week.

List on 18.12.2024

The parties shall comply aforesaid commitment before the next date.”

2. Learned counsels submit that the aforesaid order has been duly complied with. The appellants – original

plaintiffs have paid an amount of Rs. 14,00,000/- towards full and final settlement of claim of respondent no. 3 – bank. Further the sale deed has been executed on 16-12-2024 for total consideration of Rs. 29,00,000/- as agreed by and between the parties in favour of appellant no. 2 by the respondent nos. 1 and 2. The appellant no. 2 is present in the Court. He states that appellant no. 1 had no objection for the said sale deed.

3. Having adhered to the commitments as noted in the order dated 9-12-2024, it appears that the dispute has been amicably settled between the parties. Nothing survives in the appeal. The appeal is, accordingly, disposed of as settled. The Court Fees be paid to the appellants in accordance with rules.

4. At this stage, learned counsel for the appellants submits that Court Fees be paid to appellant no. 2. The application to that effect shall be filed by the appellants before the appropriate authority.

(Anil L. Pansare, J.)