

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

901 SECOND APPEAL NO. 35 OF 2025
WITH
CIVIL APPLICATION NO. 11183 OF 2023
IN SA/35/2025
SHEVANTABAI CHIMA TRIMBAKE AND ANR
VERSUS
CHIMA GIRMA TRIMBAKE AND ORS

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Advocate for Appellants : Mr. Vinesh C. Solshe
Advocate for Respondent No.1 : Mr. Shrikishan S.Shinde
Advocate for Respondent No. 2 : Mr. Vijay P. Latange

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CORAM : S. G. CHAPALGAONKAR, J.
Dated : 24.01.2025

PER COURT :-

1. Heard Mr. Vinesh C. Solshe, learned Advocate appearing for the appellants. He submits that so far as the rights of respondent No. 3 Jijabai wife of Rambhau Holkar are concerned, those have been protected by the Court below, therefore, her presence in compromise to be recorded between other parties would not be necessary. Therefore, he seeks permission to delete the name respondent No. 3 from the array of respondents in this Second Appeal. Permission is granted at the risk of the appellants. Amendment be carried out forthwith.

2. The parties i.e. appellant Nos. 1 & 2 and respondent Nos. 1 & 2 are personally present before this Court. They tendered the terms of settlement, which are duly verified.

4. Learned Advocate appearing for the respective parties have identified their signatures. The parties were asked to remain present before the learned Registrar, (Judicial) of this Court, who explained terms of settlement to them. They have voluntarily accepted correctness of compromise terms so recorded. In view of amicable settlement, parties jointly pray that the judgment and decree dated 13.12.2022 passed by the learned District Judge – 8, Ahmednagar, in RCA No. 108 of 2019, may be quashed and set aside and Second Appeal No. 35 of 2025 may be disposed of in terms of compromise.

5. Since the parties have amicably settled dispute as per the terms set out, which are taken on record and marked as Exhibit “X”, the Second Appeal stands disposed of in terms of compromise. Rights of respondent No. 3 shall remain undisturbed by this compromise decree.

6. Decree be drawn up accordingly.

7. Pending Civil Applications, if any, stand disposed of.

(S. G. CHAPALGAONKAR)
JUDGE

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