

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 699 OF 2016**

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Dattatraya Deshav Wesanekar @ Sonar ... Appellants
(Deceased Through LRs)

vs.

Vasant Keshav Wesanekar @ Sonar ... Respondents
and Ors.

**WITH
INTERIM APPLICATION NO. 2688 OF 2022
IN
SECOND APPEAL NO. OF 202**

Vasant Keshav Wesanekar @ Sonar ... Applicants
and Ors.

vs.

Dattatraya Deshav Wesanekar @ Sonar ... Respondent
(Deceased Through LRs) 1A. Laxmibai
Sonar (Deceased Through 1B-1E) 1B
Sanjay Sonar

Mr. Irvin Dsouza a/w Vaibhav Thorve for the Appellants.

Mr. R. R. Salvi for the Respondent.

CORAM : GAURI GODSE, J.

DATED : 5th MARCH 2025

ORDER:

1. Learned counsels for the parties have tendered consent terms dated 5th March 2025. The consent terms are signed by appellant no.1-D for herself and as power of attorney holder of

appellant nos. 1B, 1C, 1E (A), (B), (C) and respondent nos.2 and 3. The consent terms are signed by power of attorney holder of respondent no.1. The consent terms are also signed by the respective advocates.

2. The consent terms dated 5th March 2025 is taken on record and marked 'X' with today's date for identification. The signatories to the consent terms are present in the Court. They admit their signatures and confirm terms and conditions to be true.

3. In view of the consent terms, appellants and respondent nos.2 and 3 have agreed to hand over possession of the suit property to respondent no.1 through his power of attorney holder. The power of attorney holder on behalf of the appellants and respondent nos.2 and 3, who is present in Court states that possession would be handed over within one month from today.

4. The power of attorney holder of respondent no.1 states that he will take necessary steps and get respondent no.1's deleted from City Survey No.37 in respect of the House Property No.397/1/2/3 as stated in paragraph (E) of the consent terms. He states that he shall take steps for deletion of name and get the name deleted within one month from today. The statement made on behalf of both the parties is accepted as an undertaking to this Court.

5. I have perused the terms of the consent terms. The terms are legal and valid.
6. The second appeal is disposed of in terms of consent terms.
7. The impugned decree stands confirmed in terms of the consent terms.
8. In view of the disposal of the second appeal, pending interim application is disposed of as infructuous.

(GAURI GODSE, J.)