



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**FIRST APPEAL NO. 95 OF 2024**

Fredrik Fernandes (deleted) and Others.

...Appellants.

**Versus**

Ramkaran Shivram Yadav (deleted) and Others.

....Respondents.

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*Mr. Anirudh Hariani, Mr. Shailesh Mahimtura, Mr. Nilesh Tated and Mr. Daniesh Querish  
i/b M/s. Mahimtura & Co., for Appellant No.12.  
Dhananjay and Shailesh Raf for the Respondent No. 1(c) to (f).*

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**Coram : Sharmila U. Deshmukh, J.**

**Date : June 16, 2025.**

**P. C. :**

1. At the outset, draft amendment is tendered to bring on record the legal heirs of deleted Respondent No.1(b) as the legal heirs were also party to the consent terms and would be necessary parties for giving effect to the terms entered into between parties. Leave to amend in terms of draft amendment is granted. Necessary amendment be carried out forthwith.

2. Today, First Appeal is listed for pronouncement of judgment. Before the pronouncement, learned Counsel appearing for the parties submit that as the matter has been amicably settled between the parties, parties intend to file consent terms.

3. Learned Counsel appearing for the Appellant seeks permission to withdraw the Appeal as against the Respondent No. 10(a) to 10(e) as

they were formal Respondents. First Appeal is permitted to be withdrawn against Respondent Nos. 10(a) to 10(e).

4. Learned Counsel appearing for the parties have tendered consent terms, which are taken on record and marked "X" for identification. Consent terms are executed by Appellant No.12 who was prosecuting the Appeal and the Respondent No.1(b)(i) to (iii), the Respondent No.1(c) to (f) as well as their respective Advocates. The Respondents who have executed the consent terms are present in Court as also the Appellant No. 12. Their identities are verified by their respective Advocates. They submit that they are aware of the terms of consent terms and have executed the same voluntarily. The statements made in the consent terms are accepted as undertakings given to this Court.

5. First Appeal stands disposed of in terms of the consent terms. Consideration which is mentioned in the consent terms in paragraph 11 is handed over by learned Counsel appearing for the Appellant No.12 to the learned Counsel appearing for the Respondents, which is acknowledged through parties.

6. Decree be drawn up in terms of the consent terms.

7. In view of the disposal of First Appeal, nothing survives for consideration in the pending civil/interim applications and the same stand disposed of.

**[Sharmila U. Deshmukh, J.]**