



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

SECOND APPEAL NO.70 OF 2021

[Wasudeo s/o Haribhau Narad .vs. Smt. Subhadrabai Tanbaji Warghane and others]

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

Court's or Judge's orders

Shri M.P. Dhruv, Advocate for Appellant.
Shri H.A. Deshpande, Advocate for Respondent Nos.3 to 5.
Shri N.A. Gaikwad, Advocate for Respondent No.6
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CORAM : PRAVIN S. PATIL, J.
DATED : SEPTEMBER 30, 2025.

1. By this appeal, the challenge is to the judgment and decree passed by the Appellate Court in Regular Civil Appeal No.233/2017 dated 11.9.2019.

2. During the pendency of the present appeal before this court, the parties to the present Second Appeal arrived at settlement and accordingly Civil Application No136/2025 is filed on record stating therein terms and conditions for compromise.

3. This application is duly sworn by the appellant, respondent nos.3, 4 and 6.

4. Affidavit of Respondent No.5 dated 27.1.2025 is filed separately. After going through the same, it is clear that she categorically states that she has given consent for compromise. All the parties present in the court state that though Respondent No.5 is not present in the court, she has no objection for compromise. All the parties present in the court to the appeal are duly verified by their respective counsels in the matter.

5. It is pointed out that in the compromise application, there is a mention of Demand Draft dated 9.1.2025 of Rs.6,00,000/-. However, due to expiry of its validity, the parties have prepared fresh demand draft dated 26.9.2025 of Rs.6,00,000/-. The same is handed over to the appellant before this court. The same is accepted by the appellant in the matter.

6. In view of compromise between the parties, the Second Appeal No.70/2021 stands disposed of on the terms and conditions stated in Para A to E under the caption of Terms and Conditions of Compromise Petition.

7. The decree be drawn in the Appeal in terms of conditions stated in the Compromise Petition.

8. Second Appeal stands disposed of. No cost.

(PRAVIN S. PATIL, J.)