



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

CIVIL APPLICATION (CAS) NO. 693 OF 2025

IN

SECOND APPEAL NO. 187 OF 2023

VIKRAM CHADRASHEKHAR JADHAV (Dead) THRU. LRs SAU. SHEELA C JADHAV AND OTHS

VERSUS

YOGESH DAYALDAS SUGANDH (Dead) THRU Lrs SMT. USHA Y SUGANDH AND OTHS

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. R. M. Bhangde, Advocate for the appellants
Mr. Masood Shareef, Advocate for the respondents.

CORAM : M. W. CHANDWANI, J.

DATE : JULY 29, 2025.

1. Heard the learned counsels for the parties.
2. By the present application, the appellants seek deletion of the names of respondent nos.5 and 6.
3. The contention is that, since respondent nos.5 and 6 have sold the property to the appellants, they have lost their interest in the matter. It is also contended that the matter has been compromised between the appellants and the contesting respondents. Hence, they prayed for deletion of the names of respondent nos. 5 and 6.
4. The learned counsel for respondent nos.1a to 1d and 2 to 4 has no objection.
5. In view of the submission made by the learned counsel for the appellants, permission to delete the

names of respondent nos.5 and 6 from the array of respondents is granted at the risk of the appellants.

5. Necessary amendment be carried out forthwith.

6. The application is allowed and disposed of.

Civil Application (CAS) No. 694 of 2025
and
Second Appeal No. 187 of 2023

1. Heard the learned counsels for the parties.

2. By the present application, a joint request is made by the appellants and respondent nos.1(a to d), 2 to 4 for passing a compromise decree on the premise that the matter has been settled between the appellants and the contesting respondents on the terms and conditions mentioned in the application.

3. The appellants as well as the respondents are present, except respondent no.1d - Ku. Vandana Yogesh Sugandh. Respondent no.1d is represented through her Power of Attorney Jagdish Yogesh Sugandh, respondent no.1b herein. A copy of the Power of Attorney to that effect is placed on record. The parties are duly identified by their respective counsels. They have admitted the terms of compromise and execution of compromise deed.

4. In view of the above, the application for passing the compromise decree is allowed.

5. The Second Appeal is partly allowed.

6. The judgment and decree passed by the trial Court in Special Civil Suit No. 251 of 2009 dated 11.11.2014, confirmed by the first Appellate Court in Regular Civil Appeal No. 148 of 2015 on 10.08.2022, is hereby set aside.

7. The Second Appeal stands disposed of in terms of the settlement mentioned in CAS No. 694/2025. No order as to costs.

8. Decree be drawn in terms of settlement agreement.

(M.W.Chandwani, J.)

Diwale