IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 388 OF 2022

1. Shantinath Tatoba Chougule,
Age : 66 Yrs, Occ. Agriculture
R/o Plot No. 38, Satale Nagar,
Yashwantnagar, Sangli,
Dist. Sangli ...Appellant

Versus

1. Neminath Tatoba Chougule,
Age : 56, Occ. Business
R/o S. N. Kirana Stores,
Near Laxmi Temple, 100 ft Road,
Basweshwar Colony, Sangli,
District Sangli ...Respondent

Mr. Kuldeep Nikam a/w Tejshri Kanase, Advocate for the Appellant.

Mr. Sandeep Koregave a/w Rohan Ghatage, Advocate for the Respondent.

CORAM : ASHWIN D. BHOBE, J.
DATE : 8th October, 2026.

JUDGEMENT :-

1. This Second Appeal is circulated pursuant to the praecipe dated 06.10.2026, which is marked with **"X"** for identification. In view of the statement made by Mr Kuldeep Nikam, learned Advocate for the Appellant, that the parties have settled the dispute and desire to file

consent terms, circulation was granted, and this Appeal was ordered to be listed today.

2. Heard, Mr. Kuldeep Nikam, learned Advocate for the Appellant and Mr. Sandeep Koregave, learned Advocate for the Respondent.

3. The subject matter of this Second Appeal is the Judgment and Decree dated 10.01.2022, passed by the District Judge-1, Sangli ("Appellate Court"), in Regular Civil Appeal No. 263 of 2016, by which the Appellate Court has maintained the Judgment and Decree dated 21.06.2016, passed by the Joint Civil Judge, Junior Division, Sangli ("Trial Court"), in Regular Civil Suit No. 344 of 2012, by which the Regular Civil Suit No. 263 of 2016, filed by the Appellant, was dismissed.

4. In Regular Civil Suit No. 344 of 2012, the Appellant is the Plaintiff and the Respondent is the Defendant. The challenge in this Appeal concerns the concurrent decrees passed against the Appellant in Regular Civil Suit No. 344 of 2012 and Regular Civil Appeal No. 263 of 2016.

5. Mr. Kuldeep Nikam, learned Advocate for the Appellant and Mr. Sandeep Koregave, learned Advocate for the Respondent, state that the

Appellant and the Respondent, who are real brothers, have amicably settled the dispute in Regular Civil Suit No. 344 of 2012 and entered into a compromise by signing the Consent Terms dated 08.10.2026.

6. Mr. Kuldeep Nikam, learned Advocate for the Appellant, states that the Appellant is present in Court and has been identified by him.

7. Mr. Sandeep Koregave, learned Advocate for the Respondent, states that the Respondent is present in Court and has been identified by him.

8. Mr. Kuldeep Nikam and Mr. Sandeep Koregave, learned Advocates for the parties, jointly tender the Consent Terms dated 08.10.2026 (6 pages), signed by the Appellant and the Respondent, as well as by Advocate Mr. Kuldeep Nikam and Advocate Mr. Sandeep Koregave. The Consent Terms dated 08.10.2026 is taken on record and marked with **"X-1"** for identification.

9. The Appellant and Respondent are well conversant with Marathi, as submitted by their respective Advocates Mr. Kuldeep Nikam and Mr. Sandeep Koregave. When asked in Marathi, the Appellant and the Respondent state that the consent terms (X-1) are as per their say and that their respective Advocates read over the contents to them. They

state that they have signed the consent terms (X-1) and identify their signatures on the same.

10. Perused the consent terms dated 08.10.2026 (X-1). The contents do not indicate that they are against public policy.

11. In view of the aforesaid statements made by Mr. Kuldeep Nikam, learned Advocate for the Appellant and Mr. Sandeep Koregave, learned Advocate for the Respondent, in the presence of the Appellant and Respondent, the Consent Terms are accepted.

12. Consequently, the Judgment and decree dated 10.01.2022 passed in Regular Civil Appeal 263 of 2016 and Judgment and Decree dated 21.06.2016, passed in Regular Civil Suit No. 344 of 2012, are set aside and the present Appeal is decreed in terms of the Consent Terms dated 08.10.2026 (X-1).

13. In view of the above, Second Appeal No. 388 of 2022 is decreed in terms of the Consent Terms dated 08.10.2026 (X-1). The decree shall be drawn accordingly.

(ASHWIN D. BHOBE, J.)

ARJUN KRISHNA RODGE

Digitally signed by ARJUN KRISHNA RODGE
Date: 2026.10.09 21:59:55 +0530