

[CNR No.MHSCA-20010462023]

IN THE COURT OF SMALL CAUSES AT MUMBAI

ORDER BELOW EXHIBIT - 12

IN

EXECUTION APPLICATION NO.339 OF 2023

IN

R.A.E. & R. SUIT NO.641 OF 2026

**Shri Khimchand Prithviraj Kothari : Plaintiff/ decree holder
V/s.**

Smt. Shobha S. Rathod & Anr. : Defendants / judgment debtors

Shri N.P. Wagle a/w. Ms Saria Khairkar

: Ld. Advocate for Plaintiff / decree holder

J.V. Parmar : Ld. Advocates for defendant / judgment debtor No.1

**Coram : S.A. Gawai, Judge,
Court Room No.10**

Date : 13.10.2023

ORDER:-

Mr. Bharatkumar Khimchand Kothari the Power of Attorney holder and the son of the plaintiff / decree holder along with his learned Advocate Sarita Khairkar and Pinky Solanki the Power of Attorney holder and the daughter of defendant / judgment debtor No.1 along with the learned Advocate Mr. J.V. Parmar for defendant / judgment debtor No.1 are present. The plaintiff and defendant No.1 filed consent terms (Exh.12). Whereas the proceeding against the defendant / judgment debtor No.2 is being withdrawn by the plaintiff / decree holder.

I verified the terms of the consent from the parties in the presence of their learned advocates. I am satisfied that the plaintiff / decree holder and defendant / judgment debtor No.1 arrived at settlement in terms of the consent (Exh.12) and the plaintiff / decree

holder does not want to prosecute the present proceeding against defendants / judgment debtor. Therefore, the consent terms is read and recorded and accordingly order is passed below (Exh.1).

Mumbai
Date : 13.10.2023

(S. A. Gawai)
Judge, C.R. No.10