

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**SECOND APPEAL NO. 562 OF 2016
WITH
CIVIL APPLICATION NO. 1140 OF 2016
IN
SECOND APPEAL NO. 562 OF 2016**

Ganesh Neelkanth Pawar and ors.Appellants/Applicants
Vs.
Chandrashekhar Baburao Pawar and ors.Respondents

**WITH
SECOND APPEAL NO. 604 OF 2017**

Sadashivrao R. Patil and ors.Appellants
Vs.
Chandrashekhar Baburao Pawar and ors.Respondents

Mr. Anil Anturkar, Senior Advocate a/w Mr. Prathamesh Bhargude for the Appellant/Applicant.

Mr. Jaydeep Deo for Respondent Nos. 1A & 1C.

Mr. Ramdas Shelke for Respondent No. 1B.

Mr. V. S. Talkute for Respondent Nos. 2 & 5.

CORAM : GAURI GODSE, J.

DATE : 28th JUNE 2024

ORDER :

1. Learned counsels for the parties on instructions submits that since the dispute is amongst the siblings, they will make

an attempt to explore the possibility of amicable settlement.

2. By order dated 24th April 2024, Mr. Vilas Tapkir, learned Advocate was appointed as Mediator by consent of the parties. Learned counsels for the parties submit that the said mediation has failed. Though, there is no mediation failure report placed on record, the statement made by the learned counsels for the parties is accepted, that the mediation before Advocate Vilas Tapkir has failed. Learned counsels for the parties to intimate this order to Advocate Vilas Tapkir.

3. Learned counsels for the parties submit that they shall pay an amount of Rs. 25,000/- each to Advocate Vilas Tapkir for the mediation process already conducted. Since a joint request is made, the parties are permitted to pay the necessary charges for the earlier mediation to Advocate Vilas Tapkir.

4. The parties are referred for fresh mediation. By consent, Mr. S. G. Deshmukh, Advocate practicing in this Court is appointed as a Mediator.

5. Learned counsel for the appellants shall intimate this order to the learned Mediator and submit necessary papers. Both the parties shall bear the cost towards the mediation equally.

6. Learned Mediator is at liberty to issue necessary directions regarding payment of cost towards mediation.

7. List the second appeal under the caption “for settlement” on 19th July 2024.

Digitally
signed by
MANGALTAI
JAYWANT
JADHAV
Date:
2024.07.02
14:06:17
+0530

[GAURI GODSE, J.]