

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4595 OF 2010

RAJENDRA & ORS.

...Appellant(s)

Vs.

SUMANTIBAI (DEAD) THROUGH LRS. & ORS.

...Respondent(s)

O R D E R

1. The present appeal was filed by the defendants impugning the judgment and decree of the High Court dated 11<sup>th</sup>/12<sup>th</sup> August, 2008 passed in Second Appeal No.1150 of 2005. The Second Appeal was preferred by Sumantibai, the original plaintiff. The High Court by the impugned order allowed the appeal and set aside the judgment and decree passed by the First Appellate Court in Regular Civil Suit No.272 of 1993. As a result the Civil Suit filed by her for possession of the property as mentioned therein, was decreed.

2. During the pendency of the present appeal, the

dispute amongst the family members was settled. The terms have been reduced into writing by a Compromise Deed executed on 30<sup>th</sup> December, 2025. Paragraph 21 thereof sums up the settlement, which is extracted below:

“21. The parties have now reached an amicable settlement and decided to settle the disputes out of court. That appellants are in peaceful possession of the Suit Land mentioned in the various sale deeds from the date of execution of respective sale deeds. That the contesting Respondent namely Makarand Rangnathrao Kulkarni, Ravindra Rangnathrao Kulkarni and Madhyumati Balasaheb Kulkarni the legal heirs of the deceased Respondent No.1 and hereby unequivocally withdraw the Complaint/Claims made in Regular Civil Suit No.272 of 1993 filed before IIInd Joint Civil Judge, Junior Division at Beed and this Hon’ble Court may dismiss the same and set aside the impugned judgment Order 11<sup>th</sup> & 12<sup>th</sup> August, 2008 in Second Appeal No.1150 of 2005 passed by the Hon’ble High Court of Judicature at Bombay, Bench at Aurangabad.”

3. Shri Makarand Rangnathrao Kulkarni one of the legal heirs of the original plaintiff is connected through video conferencing. He endorsed the fact that the matter in dispute stands compromised between the parties. He

further submitted that his other brother/Ravinder Rangnathrao Kulkarni has gone to some other village and his sister/Madhumati Balasaheb Kulkarni has gone to hospital. He endorsed that the Settlement Deed was executed between the parties with the consent of his brother and sister.

4. Shri Makarand Rangnathrao Kulkarni has been identified by the learned counsel representing him.

5. As per the settlement entered into between the parties, the present appeal deserves to be allowed, as respondent Nos. 1.1 to 1.3, who are the successor-in-interest of the plaintiff, have agreed to withdraw the Civil Suit itself.

6. In view of the aforesaid terms settled between the parties, the impugned judgment and decree passed by the High Court against the appellants is set aside and the Civil Suit filed by the predecessor-in-interest of Respondent Nos.1.1 to 1.3 shall be deemed to be dismissed as withdrawn.

7. The appeal is allowed in the aforesaid terms.
8. Pending application(s) if any, shall also stand disposed of.

.....J.  
(RAJESH BINDAL)

.....J.  
(VIJAY BISHNOI)

NEW DELHI;  
February 04, 2026.

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Civil Appeal No(s). 4595/2010

RAJENDRA &amp; ORS.

Appellant(s)

VERSUS

SUMANTIBAI (DEAD) THROUGH LRS. &amp; ORS.

Respondent(s)

(IA No. 95128/2020 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

Date : 04-02-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RAJESH BINDAL  
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Appellant(s) :

Mr. Pravin Waman Satale, Adv.  
Mr. Rishabh Jain, Adv.  
Mr. Bhushan, Adv.  
Ms. Priya, Adv.  
Mr. Rajiv Shankar Dvivedi, AOR

For Respondent(s) :

Mr. Anjani Kumar Jha, AOR  
  
Mr. Shashibhushan P. Adgaonkar, AOR  
  
Mr. Mayilsamy K, Adv.  
Mr. P. Soma Sundaram, AOR  
Mr. Arun Pandiyan S, Adv.  
Ms. Pragya Gupta, Adv.  
Mr. A. Santha Kumaran, Adv.UPON hearing the counsel the Court made the following  
O R D E R

The appeal is allowed in terms of the signed order.

Pending application shall also stand disposed of.

(ANITA MALHOTRA)  
AR-CUM-PS(AKSHAY KUMAR BHORIA)  
COURT MASTER

(Signed order is placed on the file.)