

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

WRIT PETITION NO. 976 OF 2005

The Commissioner, Solapur
Municipal Corporation

..Petitioner

Vs

Rajendra Basavraj Kanade

.. Respondent

Mr. Dilip Bodake, Advocate for Petitioner.

Mr.Mahendra Sandhyanshiv, Advocate for Respondents no.1(a)
to 1(c).

CORAM : R.G.KETKAR,J.
DATE : 11/03/2015

PC:

1. Heard Mr. Dilip Bodake, learned counsel for the petitioner and Mr. Mahendra Sandhyanshiv, learned counsel for respondents 1(a) to 1(c). Mr. Bodake has tendered photocopy of communication dated 3.1.2015 addressed by Legal Advisor of the petitioner to him. The same is taken on record and marked "X" for identification.

2. Learned counsel appearing for the parties have tendered Consent Terms dated 11.3.2015 duly signed by the parties and their Advocates. The learned counsel appearing for the parties state that the Petition may be disposed of in terms of the Consent Terms.

3. Mr. Sandhyanshiv states that respondent no.1(a) and 1(c) are present in the Court. They admit and confirm the correctness

of the Consent Terms. Learned counsel appearing for the parties submit that the impugned Award may be substituted by clauses (1) to (4) of the Consent Terms. The Consent Terms are taken on record and marked "Y" for identification. Mr.Sandhyanshiv has tendered photocopy of identity card issued by Election Commission of India of respondent no.1(c). The same is taken on record and marked "Z" for identification. Mr Sandhyanshiv has identified respondent no.1(a).

4. After considering the Consent Terms, I am satisfied that the controversy between the parties is amicably and lawfully settled in terms of the Consent Terms. The undertaking by respondents in paragraph 2 is accepted. In view thereof, by consent of the parties, the impugned order is quashed and set aside. The impugned order stands substituted by clauses (1) to (4) of the Consent Terms.

5. Rule is partly made absolute in the aforesaid terms with no order as to costs.

(R.G.KETKAR, J.)