

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION (ST) NO.14050 OF 2015**

1.Sai-Visava SRA Cooperative ..Petitioners
Housing Society (proposed) and
Anr.

Vs

1.Smt.Tulsibai Shankar Vaijal .. Respondents
and Ors.

Mr. Drupad S. Patil, Advocate for Petitioners.
Mr. Abhay L. Patki, Advocate for Respondents no.1 to 5.

CORAM : R.G.KETKAR,J.
DATE : 10/12/2015

PC:

1. Heard Mr. Drupad Patil, learned counsel for the petitioners and Mr. Abhay Patki , learned counsel for respondents no. 1 to 5.
2. Learned counsel appearing for the parties state that the controversy between the petitioners and respondents no.1 to 5 is amicably settled. The petitioners and respondents no. 1 to 5 have entered into settlement. They have tendered consent terms dated 10.12.2015 duly signed by Shri Dinkar Ghadge, Chief Promoter of petitioner no.1 and petitioner no.2 Nipun Thakar as also Advocate for petitioners no.1 and 2. The consent terms are also signed by respondents no.1 to 5 and their Advocates. The consent terms are taken on record and marked "X" for identification.

3. Mr.Patil seeks leave to delete respondents no.6 and 7 from present proceedings. Learned counsel appearing for the parties state that the consent terms do not affect rights of respondents no.6 and 7. They jointly submit that petition may be disposed of in terms of consent terms.

4. On the motion made by Mr. Patil, leave to delete respondents 6 and 7 is granted. Amendment shall be carried out forthwith.

5. Mr. Patil submits that Chief Promoter- Mr. Dinkar Ghatge is present in the court. On behalf of petitioner no.2, Mr. Manan Thakkar, son and power of attorney of petitioner no.2 is present in the court. He has tendered photocopy of identify cards of Shri Dinkar Ghatge and Manon Thakkar. Same is taken on record and marked "Y" collectively for identification.

6. Mr Patki states that respondent no.1 Ms Tulsibai Vaijal and respondent no.3 Ms Mathurabai Vaijal are present in the court. He has tendered photocopy of Identify cards of respondents no.1 and 3 which are taken on record and marked 'Z' collectively for identification. Mr. Patki submits that the consent terms are explained to respondents no.1 to 5 in Marathi.

7. With the assistance of learned counsel appearing for the parties, I have perused the consent terms. I am satisfied that controversy between the petitioner and respondent nos 1 to 5 is

lawfully settled in terms of consent terms. The undertakings given by respondents 1 to 5 in clause 1(I), 3, 5, and 8 are accepted.

8. In view thereof, Petition is disposed of in terms of consent terms marked 'X'. Order accordingly.

9. Parties to act upon authenticated copy of this order. Issuance of certified copy is expedited.

(R.G.KETKAR, J.)