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IN THE HIGH COURT OF JUDICATURE AT MUMBAI

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1848 OF 2000

WITH

CIVIL APPLICATION NO. 3167 OF 2015

WITH

CIVIL APPLICATION NO. 4159 OF 2000

ALONG WITH

WRIT PETITION NO. 9468 OF 2003

Mrs.Hira Sorab Pithawalla

.. Petitioner

Vs.

M.J.Kamat

since deceased by his legal heirs & representative

Smt.Sushila Madhusudan Kamat and others

.. Respondents

And

Rajendra Bothmal Singhvi

.. Intervenor/Applicant

Mr.M.V.Sawant, Advocate for the Petitioner.

Mr.Pankaj Sutar i/b M/s. Jayakar & Partners, Advocate for Respondents.

Mr.Rajendra Bothmal Singhvi, Applicant in-person.

CORAM : R.G.KETKAR, J.

DATED : 02nd DECEMBER, 2015

P.C. :

Writ Petition No.1848 of 2000

. Heard Mr.M.V.Sawant, learned Counsel for the petitioner, Mr.Pankaj Sutar, learned Counsel for the respondents and Mr.Rajendra Bothmal Singhvi, applicant who appears in-person.

2. Matter pertains to Rent Act and as regular Court presided over by the Hon'ble Mr.Justice R.M.Savant has passed order 'not before me', office has listed this matter before me in view of administrative order passed by the Hon'ble the Acting Chief Justice.

3. Learned Counsel appearing for the parties have tendered consent terms dated 02/12/2015 duly signed by the petitioner and her advocate as also by Mr.Sanjiv Kamat, constituted attorney of respondents No. 1 to 5 and their advocate and applicant- Rajendra Bothmal Singhvi, who appears in-person. The same are taken on record and marked 'X' for identification. The petitioner's advocate states that petitioner's grand daughter and constituted attorney – Ms.Havovi Merzban Sukhadwala is present in the Court. The respondent's advocate states that Mr.Sanjiv Kamat- constituted attorney of respondents No. 1 to 5 is present in the Court. The applicant-intervenor who appears in-person is also present in the Court. Learned Counsel appearing for the parties submit that Petition is amicably settled in terms of the consent terms and the same may be disposed of by accepting undertakings given therein.

4. After perusing the consent terms, I am satisfied that the controversy between the parties is lawfully settled in terms of the consent terms.

5. In view thereof, by consent of the parties, Petition is disposed of in terms of the consent terms. The undertakings given

by the respective parties are accepted.

6. Rule is disposed of in terms of the consent terms with no order as to costs.

Civil Application no. 3167 of 2015

By consent of the parties, Civil Application is allowed in terms of prayer clauses (a) and (b) with no order as to costs. Amendment in the main Petition shall be carried out forthwith.

Civil Application no. 4159 of 2000

In view of disposal of the main Petition, this Civil Application for production of additional evidence under Order 41 Rule 27 of the Code of Civil Procedure, 1908 does not survive and the same is disposed of accordingly.

Writ Petition No. 9468 of 2003

Heard Mr.M.V.Sawant, learned Counsel for the petitioner, Mr.Pankaj Sutar, learned Counsel for the respondents. and Mr.Rajendra Bothmal Singhvi, applicant who appears in-person.

2. Though matter pertains to Rent Act and as regular Court presiding over by Hon'ble Mr.Justice R.M.Savant has passed order 'not before me', office has listed this matter before me in view of administrative order passed by the Hon'ble the Acting Chief Justice.

3. Mr. Sawant seeks permission to withdraw this Petition.
On the motion made by Mr.Sawant, Petition is allowed to be withdrawn. Rule is discharged with no order as to costs.

(R.G.KETKAR, J.)