

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.5933 OF 2015

[Arvind s/o Krushnarao Waghmare .vs. The Collector, Nagpur and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.K. Waghmare, Advocate (In Person) for the petitioner,
Shri D.M. Kale, AGP for the respondent nos.1 to 4,
Shri P.D. Meghe, counsel for the respondent no.6.

CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.

DATED : OCTOBER 30, 2015.

Heard.

The writ petition is disposed of with the consent of the learned counsel for the parties on the following terms :

(1) Without prejudice to the rights and contentions of the petitioner in the suit filed by the petitioner against the respondents, the petitioner would pay a sum of Rs.6.47 Lakhs to the respondent no.6-Bank, towards full and final settlement of all the dues, that are liable to be paid as per the say of the Bank.

(2) Since the petitioner has deposited a sum of Rs.3.50 Lakhs in this court by a Demand Draft, the respondent no.6-Bank is permitted to withdraw the said amount. The petitioner would pay an additional sum of Rs.2.97 Lakhs to the respondent no.6-Bank by a Demand Draft, within a period of seven days.

(3) As soon as the amount of Rs.2.97 Lakhs is paid by the petitioner to the respondent no.6-Bank by a Demand Draft, the respondent no.6-Bank should deliver the possession of Flat No.304, "Saujanya Apartment", Plot No.3, Kinkhede Layout, Nagpur, to the petitioner.

(4) It is agreed by the parties that the payment of the aforesaid amount by the petitioner to the respondent no.6-Bank towards full and final settlement of the dues as per the say of the Bank, would be subject

to the rights of the parties, as decided in the civil suit filed by the petitioner.

(5) There would be no order as to costs.

JUDGE

JUDGE

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