

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 564 OF 2011**

Ramjan Mohammad Nagarji

Petitioner

Vs

1. Smt. Havabi Khudbuddin Hajari
and Anr.

.. Respondents

Mr. Tejpal Ingale, Advocate for Petitioner.

Ms. Sanjukta Dey, Advocate for Respondent no.2.

CORAM : R.G.KETKAR,J.

DATE : 29/02/2016

PC:

1. Heard Mr. Tejpal Ingale, learned counsel for the petitioner and Ms. Sanjukta Dey, learned counsel for respondent no.2.

2. Learned counsel for the petitioner and respondent no.2 have tendered Agreement for compromise dated 29.2.2016 entered into between the petitioner and the second respondent. Same is taken on record and marked "X" for identification. Mr Ingale states that the petitioner Mr.Ramzan Mohammad Nagarji is present in the Court. He has tendered photocopy of I-Card issued by Election Commission of India which is taken on record and marked "A" for identification. Ms. Dey states that respondent no.2 is present in the Court. She has tendered photocopy of Aadhaar Card of Kabir Khudbuddin Hajari, respondent no.2, which is taken on record and marked "B" for identification.

3. Learned counsel for the petitioner and respondent no.2 state that the parties have amicably settled the controversy

between them. They submit that the Petition may be disposed of in terms of the Consent Terms.

4. Petitioner and respondent no.2 who are present in the court admit the correctness of the Consent Terms. By the Consent Terms, the petitioner has agreed to withdraw legal proceedings filed by him against respondent no.2 with respect to Schedule property for a settlement consideration of Rs. 22 Lacs which amount respondent no.2 has agreed to pay to the petitioner at the time of execution of the sale deed in favour of Susshil Chandwani.

5. After perusing the Consent Terms, I am satisfied that controversy between the parties is lawfully settled in terms of the Consent Terms.

6. In view of the Consent Terms, Mr. Ingale seeks permission to withdraw the Petition. Ms Dey has no objection for withdrawal of petition.

7. In view thereof, on the motion made by Mr. Ingale, Petition is allowed to be withdrawn and is disposed of as such. Rule is discharged with no order as to costs.

(R.G.KETKAR, J.)