

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6959 OF 2016**

Smt. Kumud B. Bhatt

..Petitioner.

Vs

Pushpa C. Doshi

.. Respondent

Mr. Amit Shroff, Advocate for Petitioner.

Mr. Ajay Khandhar and Jayant Gaikwad i/b Ajay Khandhar & Co ,
Advocates for Respondent.

CORAM : R.G.KETKAR,J.

DATE : 01/08/2016

PC:

1. Not on Board. At the joint request of learned counsel for the parties, taken up in production board. Heard Mr. Amit Shroff, learned counsel for the petitioner and Mr. Ajay Khandhar, learned counsel for the respondent.

2. Learned counsel for the parties have tendered Consent Terms dated 1.8.2016 duly signed by the petitioner and the respondent as also their Advocates. The Consent Terms are taken on record and marked 'X' for identification.

3. The petitioner has agreed and undertaken to handover quite, vacant and peaceful possession of Flat No.107, First Floor Anand Sagar CHS Limited, Plot no.34, Sector 17, Vashi, Navi Mumbai 400 703 (for short, 'suit flat') to the respondent on or before 12.8.2016. She has also agreed that the entire sum paid by her at the rate of Rs.8000/- per month upto Feb. 2015 before MHADA, may be received by the respondent forthwith. The respondent, in turn, has agreed that in the event of the

petitioner handing over quite, vacant and peaceful possession of the suit flat on or before 12.8.2016 to the respondent, the respondent will not demand arrears of rent after February 2015 or any other unpaid amount from the petitioner as per the order dated 27.6.2013 or otherwise, and the same stand waived by her forever. In the event of the petitioner handing over the suit flat, neither party shall have any claim against each other.

4. Mr. Shroff states that the petitioner is present in the Court. He has tendered PAN Card of the petitioner which is taken on record and marked "Y" for identification. Mr Khandhar states that son of respondent Mr. Atul Doshi who is also her Constituted Attorney is present in the Court. He has tendered PAN Card of Atul Doshi, son of the respondent, which is taken on record and marked "Z" for identification. Parties admit and confirm correctness of the Consent Terms. After perusing the Consent Terms, I am satisfied that the controversy between the parties is amicably settled in terms of the Consent Terms. Undertaking given by the petitioner in clause 1 is accepted. Respondent has no objection for handing over Cheque No. 641540 dated 12.7.2016 to the petitioner. Petition is disposed of in terms of the Consent Terms. Order accordingly.

(R.G.KETKAR, J.)