

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7887 OF 2016**

Shri Vishnu Bhimrao Sawant and Ors	Vs	Petitioners
Sou. Sushila Maruti Sawant and Ors.		.. Respondents

Mr. Rupesh K. Bobade, Advocate for Petitioners.
Mr. Rahul Kate, Advocate for Respondents no. 1 to 4.

**CORAM : R.G.KETKAR,J.
DATE : 18/01/2017**

PC:

1. Heard Mr. Rupesh Bobade, learned counsel for the petitioners and Mr. Rahul Kate, learned counsel for respondents no.1 to 4.
2. Learned counsel appearing for the parties have tendered Consent Terms dated 18.1.2017 duly signed by the Petitioners and the respondents as also their Advocates. Mr. Bobade states that the petitioners are present in the Court. He states that photocopies of Aadhaar Cards of the petitioners are annexed along with the Consent Terms. Mr. Kate states that respondents are present in the Court and photocopies of their Aadhaar Cards are also annexed along with the Consent Terms.
3. Consent Terms along with (1) Map, (2) Post-dated cheques dated (i) 20.3.2017 for Rs.1,50,000/-, (ii) 30.6.2017 for Rs. 1,50,000/-, (iii) 25.10.2017 for Rs. 1,50,000/- and (iv) 25.12.2017 for Rs.1,50,000/- are also annexed to the Consent Terms. Consent

Terms along with Map, Post-dated cheques and photocopies of Aadhaar Cards are taken on record and marked 'X' Collectively for identification.

4. Learned counsel appearing for the parties state that the controversy between the parties is amicably settled in terms of the Consent Terms. Under the Consent Terms, the petitioners have agreed to hand over possession of six acres of land out of Gat No. 175 to the respondents. Area of six acres is demarcated and identified in the map annexed to the Consent Terms. The petitioners agreed that they will hand over possession of six acres to the respondents within 30 days from today. Respondents no. 1 to 4 have agreed that they will not raise objection to the Sale Deed dated 13.1.2005. Respondents also undertake and accept ownership and actual physical possession of the petitioners over remaining 12 Acres of land in Gat No. 175. Respondents no.1 to 4 have agreed and undertaken to pay Rs. 6,00,000/- (Rupees Six Lakhs only) to petitioner no.2 by cheques annexed to the Consent Terms.

5. Parties admit and confirm the correctness of the Consent Terms. Learned counsel appearing for the parties submit that the undertakings given by the respective parties may be accepted and the suit itself may be disposed of in terms of the Consent terms.

6. After going through the Consent Terms, I am satisfied that

the controversy between the parties is lawfully settled in terms of the Consent terms. Hence, Suit shall stand disposed of in terms of the Consent terms. Decree shall be drawn up accordingly.

7. The undertakings given by the respective parties are accepted. The petitioners have agreed to hand over possession of six acres of land out of Gat No.175 as per demarcation and identification in the Map annexed to the Consent Terms within 30 days. In view thereof, Petition also stands disposed of.

8. List the Petition for reporting compliance on 15.2.2017.

(R.G.KETKAR, J.)