

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5271 OF 1997

Shri. Ranjit M. Shah and anr. .. Petitioners

vs.

East India Paper Company
Royal paper Mart
through its Partner N.K. Shahani
and ors.

.. Respondents

WITH
CIVIL APPLICATION NO. 1235 OF 2011

Mr. Rajesh S. Patil for the Petitioners
Mr. S.P. Kanuga for Respondent No.1.

CORAM : M. S. SONAK, J.
DATE : 24 AUGUST 2017.

P.C. :-

1] Mr. Rajesh Patil, learned counsel for the petitioners, on basis of instructions from the petitioners seeks leave to delete respondent Nos.2 to 14 from the array of the respondents in the cause title of the petition. Leave is granted. Necessary amendment to be carried out forthwith.

2] Learned counsel for the petitioners and respondent No.1 hand in Consent Terms, which are taken on record and marked as "X" for purposes of identification.

3] Learned counsel for the parties request that the petition be disposed of in accordance with the Consent Terms.

4] The Consent Terms have been signed by the two petitioners, who are present in the Court. They state that they have signed this Consent Terms after understanding its full scope and import.

5] The Consent Terms have also been signed by Mr. Kishore Shahani, who is present in the Court. Mr. Kishore Shahani states that he is the partner of respondent No.1 Partnership Firm. Mr. Kishore Shahani states that he has necessary authority to sign this Consent Terms. He states that the amount which respondent No.1 has received has been deposited into the account of the Partnership Firm. He states that the remaining two partners have expressly given him authority to sign this Consent Terms since they also have no objection. He says that if necessary the two partners can also sign this Consent Terms.

6] Mr. Kanuga, learned counsel for respondent No.1, assures this Court that he knows the parties and the statements made by Mr.Kishore Sahani are true and correct.

7] Mr. Kishore Shahni also states that the Consent Terms have been signed after understanding its full scope and import.

8] In view of the aforesaid, this petition is disposed of in terms of Consent Terms.

9] The pending civil application does not survive and the same is also disposed of.

(M. S. SONAK, J.)