

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12190 OF 2016

Mr.Hari Bapu Gharat and Others. .. Petitioners
Vs
Satyam Concast Pvt. Ltd. and Others. .. Respondents

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Ms.Shabana F. Sothe for the Petitioners.
Shri Darshan Ashar for Respondent No.1.
Shri Sanjay Udeshi i/b M/s. Sanjay Udeshi & Co for the Respondent
No.2.
Shri Sameer Patil for the Respondent Nos. 3 to 5.
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CORAM : A.S. OKA &
SMT. VIBHA KANKANWADI, JJ

DATED : 31ST JULY 2017

P.C.

1. The Constituted Attorney of the Petitioners as well as the authorized representative of the second Respondent are personally present in the Court.

2. Learned counsel appearing for the Petitioners as well as learned counsel appearing for the first and second Respondents have tendered on record the consent terms. The learned counsel appearing for the Petitioners states that the consent terms are signed by the fourth, fifth, sixth, seventh, eighth and eleventh Petitioners and rest of the Petitioners have affixed their left hand thumb impression on the consent terms. The consent terms are also signed by the first and second

Respondents. The consent terms are taken on record and marked “X” for identification.

3. The third to fifth Respondents are not parties to the consent terms. Therefore, we clarify that the said Respondents as well as City Industrial Development Corporation of Maharashtra Limited shall not be bound by the consent terms.

4. We clarify that merely because the consent terms are filed which are taken on record and marked “X” for identification, the issue regarding validity and legality of the construction made on the subject plot of this Petition will remain expressly open to be decided by the third to fifth Respondents in accordance with law.

5. The learned counsel appearing for the Petitioners on instructions seeks permission to withdraw this Petition in the light of the consent terms marked “X” for identification.

6. The learned counsel representing the first and second Respondents as well as third to fifth Respondents states that Vakalatnama will be filed by them within a period of one week from the date on which this order is uploaded. The Office to accept Vakalatnama, if filed within two weeks from today.

7. Subject to what is observed above, the Petition is disposed of as withdrawn.

(VIBHA KANKANWADI, J)

(A.S. OKA, J)