

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION STAMP NO.21298 OF 2016**

M/s. Sahil Buildtech Partnership Firm through its partnership Mr. Imran B. Khan and others	..Petitioner
Versus	
Sahil Heights Co-operative Housing Society Limited, Nashik and others	..Respondents

**Mr. A. K. Patil for the Petitioner.
Mr. M. M. Goswami for the Respondent Nos.1 & 2.**

**CORAM : R. M. SAVANT, J.
DATE : 17th FEBRUARY, 2017**

PC.

1 The Learned Counsel for the parties i.e. Mr. A. K. Patil for the Petitioner and Mr. M. M. Goswami for Respondent Nos.1 and 2 tender Consent Terms which are in Marathi and notarized before a Notary Public Mr. A. I. Shaikh, Government of India, Nashik-422 002 evidencing the settlement arrived at between the parties. The Consent Terms have been signed by Mr. A. K. Patil on behalf of the Petitioner and Mr. M. M. Goswami on behalf of the Respondent Nos.1 and 2. The Consent Terms have been signed on behalf of the Petitioner by one Imran Burhanuddin Khan partner of the Petitioner firm and on behalf of the Respondent No.1 society by the Chairman Mr. Jahur Hamid Shaikh. The Consent Terms have also been signed by Petitioner Nos.2 and 3. The Consent Terms have been signed by the Chairman Mr. Jahur Hamid Shaikh pursuant to the resolution passed by the Respondent No.1 society in the meeting held on

09.09.2016, minutes of which are appended to the Consent Terms. The partner of the Petitioner Mr. Imran Burhanuddin Khan is personally present in Court, he is identified by Mr. A. K. Patil and is also identified by his driving licence bearing No.MH1520000068749 issued on 18.08.2000 by the issuing authority MH15 2010103 i.e. RTO Nashik, when put in the box and queried states that he has read the Consent Terms, understood them and that he has signed them of his own free will and volition. The Chairman of the Respondent No.1 Mr. Jahur Hamid Shaikh is also personally present in Court. He is identified by Mr. M. M. Goswami. He has produced his Pan Card bearing No.ATMPS3357D, when put in the box and queried he states that the Consent Terms are acceptable to the Respondent No.1 society and that he has signed them pursuant to the authorization given to him by the Respondent No.1 society. The Petitioner Nos.2 and 3 are the mother and father of Mr. Imran Burhanuddin Khan who are the other partners of the firm. They are not present, on account of their age, however Mr. Imran Burhanuddin Khan states that Consent Terms are acceptable to them. The Consent Terms which are paginated from 1 to 9 are taken on record and marked as "X" for identification. The undertaking in paragraph 10 is accepted. The Writ Petition is disposed of in terms of the Consent Terms.

[R.M.SAVANT, J]