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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 8453 OF 2005

Pravinchandra Ratilal Sheth (deceased)
through legal heirs

...Petitioners

vs

Mridula Kishore Damani & Ors.

...Respondents.

.....

Ms Ranjana Parekh for the Petitioners
Mr P.J.Thorat for Respondent Nos.1 to 4

.....

**CORAM : B.P.COLABAWALLA J.
JUNE 08, 2017.**

P.C.:

The present Writ Petition was filed by the Petitioners / landlords challenging the Judgment and Decree passed by the Appellate Bench of the Small Causes Court at Mumbai in Appeal No. 127 of 2003 whereby the Appellate Bench set aside the decree passed by the Trial Court in R.A.E. No. 1129/3438 of 1988. Originally the trial court had decreed the suit in favour of the landlords and had directed eviction of the tenants. This decree was set aside by the Appellate Bench which is now assailed in this Writ Petition.

3 It now transpires that the landlords and tenants have amicably settled the disputes and have tendered the consent terms dated 8th June 2017 which have been signed by Petitioner Nos. 1 to 4 and all the Respondents. It is stated before me that as far as Petitioner No.5 is concerned, she is the widow of the original Petitioner and Petitioner No.6 is the married daughter of the original Petitioner. Both Petitioner Nos.5 and 6 have already released their share in favour of Petitioner No.4 who is the son and brother of Petitioner Nos.5 and 6.

4 The consent terms are taken on record and marked “X” for identification. The Writ Petition is disposed of in terms of the consent terms. There shall be no order as to costs.

(B.P.COLABAWALLA, J.)