

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

WRIT PETITION NO.4351 OF 2017

Premlata Bhaskar Khandke & Anr.

...Petitioners
Org. Plaintiffs

Versus

Virji Jobanputra & Anr.

...Respondents
Org. Defendant No.2

Ms.Snehal R. Modi for the Petitioners.

Mr.Chandrakant N. Chavan for Respondent No.1.

CORAM : M. S. SONAK, J.

DATE : 03rd OCTOBER 2017

P.C.

1. After this matter was heard for some time, the learned counsel for the parties have agreed that this petition can be disposed of with the following agreed order :-

(a) The impugned order dated 12-08-2016 is set aside;

(b) In substitution, it is directed that the petitioner will be entitled to create leave and license in respect of the suit premises, by making it clear to the licensee that

such license is subject to the final orders that may be passed in Appeal No.07 of 2012 pending before the Small Causes Court at Mumbai. Further, the petitioner, shall within a period of four weeks from the date of execution of the leave and license agreement, furnish a copy of the same to the Small Causes Court for information.

(c) The Appeal No.07 of 2012 is directed to be disposed of as expeditiously as possible and in any case, within a period of 18 months from today.

2. All concerned to act on the basis of authenticated copy of this order.

(M. S. SONAK, J.)