

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL REVISIONAL JURISDICTION**

REVISION APPLICATION NO.506 OF 2015

Rahela Amin Batatawala .Applicant

Vs.

Amin Haji Noor Mohamed Batatawala .Respondents
& ors.

**WITH
CRIMINAL WRIT JURISDICTION
WRIT PETITION NO.4032 OF 2014**

Amin Haji Noor Mohamed Batatawala .Petitioner

Vs.

Rahela Amin Batatawala & anr. .Respondents

Mr.Mohahamedali M.Chunawala i/b. Mr.Amin Solkar,
Advocate, for the Applicant in **Cri. Revn. Appln.
No.506 of 2015**

Mr.Sujeet Kurup i/b. M/s. Kurup Shivaji & Co.,
Advocate, for the Respondent No.1 in **Cri. Revn.
Appln. No.506 of 2015**

Ms Seema K. Chopda a/w. Ms Ishwari Sabadra,
Advocate, for the Respondent No.2 in **Cri. Revn.
Appln. No.506 of 2015**

Mr.Sujeet Kurup i/b. M/s. Kurup Shivaji & Co.,
Advocate, for the Petitioner in **W.P.No.4032 of
2014**

Mr.M.M.Chunawala i/b. Mr.Amin Solkar, Advocate,
for the Respondent No.1 in **W.P.No.4032 of 2014**

Ms A.A.Takalkar, APP, for the Respondent – State
in both matters

The Applicant and the Respondent Nos.1 & 2 in Revn. Appln. No.506 of 2015 are present in person

CORAM : REVATI MOHITE DERE, J.

DATE : 20.02.2017

P.C.

. Vide Order dated 14.07.2016, the Applicant and the Respondent No.1 had tendered the Consent Terms entered into between them as they had amicably settled their dispute. The said Consent Terms were taken on record and marked "X" for identification.

2. Learned counsel for the Applicant – Rahela Batatawala in Revn. Appln. No.506 of 2015 states that the Respondent No.1 – Amin Batatawala has deposited a sum of Rs.25,00,000/- in this Court as per Clause 2 of the Consent Terms. He prays that the Applicant – Rahela Batatawala, be permitted to withdraw the said amount of Rs.25,00,000/- with accrued interest, if any.

3. Learned counsel for the Respondents has no objection, if the Applicant - Rahela Batatawala is permitted to withdraw the said sum of Rs.25,00,000/- with accrued interest, if any, so deposited by Amin Haji Noor Mohamed Batatawala.

4. Both the parties have agreed to abide by the Consent Terms entered into between them on 14.07.2016. The Consent Terms filed in Revn. Appln. No.506 of 2015 have also been filed in W.P.No.4032 of 2014. The Applicant - Rahela Batatawala in Revn. Appln. No.506 of 2015 and the Petitioner - Amin Batatawala in W.P.No.4032 of 2014 state that they do not wish to pursue their respective Revision Application/Writ Petition, filed by them, in view of the Consent Terms and accordingly, seek leave to withdraw their respective Revision Application/Writ Petition.

5. Accordingly, both the Revision Application and the Writ Petition stand disposed of as withdrawn.

6. The Applicant - Rahela Batatawala in Revn. Appln. No.506 of 2015, who is the Respondent No.1 in W.P.No.4032 of 2014 is permitted to withdraw the said sum of Rs.25,00,000/- deposited by the Respondent No.1 - Amin Batatawala in Revn. Appln. No.506 of 2015 and the Petitioner in W.P.No.4032 of 2014 in this Court, alongwith accrued interest, if any. Registry to release the said sum of Rs.25,00,000/- on the Applicant furnishing proof of her identity. Parties to comply with the Consent Terms.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)