

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8529 OF 2016

Rajendra C. Mehta and another ... Petitioners
Vs.
Mehta House Premises Co-op Soc. Ltd. and others ... Respondents

Mr. Dharmesh S. Jain for Petitioners.
Mr. K. Merchant a/w. Ms Shirley D'souza i/b. Apex Law Partners for
Respondent No.1.
Mr. S. D. Rayrikar, AGP for Respondents No.2 and 3-State.

CORAM : R. G. KETKAR, J.
DATE : APRIL 03, 2017

P.C. :

Heard Mr. Jain, learned Counsel for petitioners, Mr. Merchant, learned Counsel for respondent No.1 and Mr. Rayrikar, learned AGP for respondents No.2 and 3-State.

2. Leave to delete the word 'housing' appearing in the cause title in respondent No.1's name, by consent, is granted. Mr. Jain prays for deleting respondents No.2, 3, 4 and 5 to 22 from this Petition on the ground that they are formal parties. Leave to delete respondents No.2, 3, 4 and 5 to 22 is granted. Amendments shall be carried out forthwith.

3. Learned Counsel for the parties have tendered consent terms dated 03.04.2017 duly signed by the parties and their Advocates along with annexures 'A', 'B colly.', 'C' & 'D' collectively. They are taken on record and marked 'X1 collectively' for identification.

4. Mr. Jain states that petitioners No.1 and 2, Rajendra C. Mehta and Mangala R. Mehta, are present in the Court. He has tendered photocopies of their Aadhar Cards, which are taken on record and

marked 'X2 collectively' for identification. Mr. Merchant states that Dr. Munir Gazi, President and Dr. Sharad Shroff, Secretary of the respondent No.1 are present in the Court. He has tendered photocopies of PAN Card of Dr. Munir Gazi and Driving License of Dr. Sharad Shroff, which are taken on record and marked 'X3 collectively' for identification. Mr. Merchant states that by resolution dated 13.02.2017, Dr. Munir Gazi, President and Dr. Sharad Shroff, Secretary of the respondent No.1 are authorized to sign the consent terms on behalf of the respondent No.1. Parties admit and confirm the correctness of the consent terms.

5. After hearing the learned Counsel for the parties and after perusing the consent terms, I am satisfied that the controversy between the parties is lawfully settled in terms of the consent terms. The undertakings given by the respective parties in the consent terms are accepted. Petition is disposed of in terms of the consent terms, exhibit-X1 collectively. Order accordingly.

(R. G. KETKAR, J.)

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