

VPH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 1961 OF 2017
WITH
Civil Application No. 1533 OF 2017
WITH
Civil Application No. 357 of 2017
WITH
Writ Petition No. 1962 of 2017
WITH
Civil Application No. 358 of 2017
with
Civil Application No. 1534 of 2017

Mr. Ashok S/o. Motilal Saraogi ... Petitioner
Versus
Shree Thirthankar Company And Ors ... Respondents

Mr. R. R. Verma, for the Petitioner / Applicant.

Mr. Ashok M. Saraogi, the Petitioner / Applicant in person present.

Mr. S. R. Bhalekar, for Respondent No. 1.

CORAM : M. S. SONAK, J.

DATE : SEPTEMBER 13, 2017

PC :

1. The learned counsel appearing for the Petitioner on the basis of instructions from the Petitioner, who is present in the Court, seeks leave to withdraw both the petitions. Leave is granted and the

petitions are disposed of as withdrawn.

2. In view of disposal of Writ Petition Nos. 1961 of 2017 and 1962 of 2017, civil applications filed therein, viz. Civil Application Nos. 1533/2017, 357/2017 and 358/2017 and 1534 / 2017 respectively, do not survive, and are accordingly disposed of.

3. The learned counsel appearing for the Petitioner on the basis of instructions from the Petitioner states that some settlement proposal can be offered to the Respondent – landlord, and it would be in the interest of justice to refer the matter to the mediation. The learned counsel appearing for Respondent No. 1 submits that at present he has no instruction. He submits that such a proposal can always be made before the trial court and if the parties agree, matter can be referred to mediation. Accordingly, parties are at liberty explore the possibility of amicable settlement, if necessary by referring the matter to mediation. The trial court, if satisfied and if consented by both the parties, may refer the matter to the mediation.

4. The time for deposit of arrears in terms of impugned order is further extended by six weeks from today. Petitioner to

WP. 1961, 1962-17, CAW. 1533-17, 357-17, 358-17, 1534-17

deposit the arrears in terms of the impugned order within a period of six weeks from today. Petitioner shall be entitled to the credit of the amount, already deposited by him, pursuant to the order of this Court dated 14th December, 2016.

Sd/-
[M. S. SONAK, J.]

Vinayak Halemath