

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION (ST.) NO.9896 OF 2017

V. Sundereshan since deceased by his heir
and L.R. S. Murli ... Petitioner
Vs.
Ashok Babulal Shah ... Respondent

Mr. S. Murali, Petitioner in person.
Mr. Suresh B. Shah, G.P.A. Holder of the Respondent.

CORAM : R. G. KETKAR, J.
DATE : OCTOBER 05, 2018

P.C. :

Not on Board. At the joint request of the parties appearing in person, taken up in the production board.

2. This matter is moved by way of praecipe dated 05.10.2018 for filing consent terms. The parties have tendered consent terms dated 26.09.2018 duly signed by the parties. The consent terms provided that petitioner-tenant has handed over the actual and physical possession of the suit property to the respondent with the result, relationship between the parties as a tenant and landlord has come to an end. Clause 2 records that petitioner has accepted Rs.9,00,000/- by Demand Draft No.341039 dated 28.08.2018 drawn on IDBI Bank in consideration of handing over the possession of the suit premises and surrendering the tenancy rights in the suit premises. Suresh B. Shah, General Power of Attorney of respondent confirms the said fact. Mr. Shah states that Power of Attorney given by the respondent in his favour is already filed on record. The said consent terms dated 26.09.2018 are taken on record and marked 'A' for identification. Photocopies of the passport of the petitioner and Aadhar Card of Suresh B. Shah are taken on record and

marked 'B' and 'C' respectively for identification.

3. In view of the consent terms, petitioner seeks permission to withdraw this Petition. Mr. Shah has no objection.

4. In view thereof, on the motion made by the petitioner, Petition is allowed to be withdrawn. Rule is discharged with no order as to costs. Order accordingly.

(R. G. KETKAR, J.)

Minal Parab