

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6328 OF 2015

Mazda Mansiion CHS Ltd.	... Petitioner
v/s	
M/s N.M. Todiya and others	... Respondents

Mr Jayesh Mistry i/b M/s RMG Law Associates for Petitioner.
Mr. Harish R. Pawar i/b Mr Mahesh Dhuri for Respondent No.1.

CORAM : B.P. COLABAWALLA, J.

DATE : 10th DECEMBER, 2018

P.C.:

1. After this matter was argued for some time, both the parties have agreed that the impugned order dated 24th February 2015 be set aside and Dispute No. CC/II/181 of 1997 be restored to the file of the II nd Co-operative Court, Mumbai.

2. Considering the aforesaid consensus, the impugned order dated 24th February 2015 is set aside and Dispute No.CC/II/181 of 1997 is restored to the

file of the II nd Co-operative Court, Mumbai.

3. Considering that the Dispute is pending since 1997, the II nd Co-operative Court at Mumbai is requested to decide the aforesaid Dispute as expeditiously as possible and in any event on or before 31st December 2019.

4. Writ Petition is disposed of in the aforesaid terms. However, there shall be no order as to costs.

5. The learned Advocate appearing on behalf of Respondent No.1 and who is the only contesting Respondent, has tendered to the Court a letter dated 7th December 2018 received from his client whereby he consents for the impugned order being set aside and the Dispute mentioned above being restored to the file of II nd Co-operative Court, Mumbai. A similar e-mail of the same date has also been tendered. The said letter as well as the e-mail are taken on record and marked 'X' and 'X-1' respectively for identification.

(B. P. COLABAWALLA, J.)