

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6993 OF 1998
WITH
CIVIL APPLICATION NO. 147 OF 2010
WITH
CIVIL APPLICATION NO. 739 OF 2015

Shri. Kuvarji Dharshi
(since deceased through heirs and
Lrs) and ors.

.. Petitioners

vs.

1(a)(a) Shri. Nutanlal Pitam
Bardas Tanna and ors.

.. Respondents

Mr. R.A. Thorat for the PetitionerS.

Ms Anjali Trivedi I/b Vinod Thaker for the Respondent Nos.1aa to 4.

CORAM : M. S. SONAK, J.

DATE : 4 DECEMBER 2018.

P.C. :-

1] The learned counsel for the parties hand in Consent Terms which are taken on record and marked as “X” for purposes of identification.

2] Mr. Thorat, the learned counsel for the petitioners, seeks leave to delete respondent Nos.3 and 4 from the array of parties. He states that the respondent No.3 has already expired and the presence of respondent no.4 is not necessary for the purposes of the present writ petition. The deletion is permitted subject to usual exceptions. Necessary amendment to be carried out forthwith.

3] As per the Consent Terms, the petitioners are withdrawing the present writ petition and the respondents have agreed to not press any claim for mesne profits.

4] Petitioner No.1a, Partner of petitioner No.2, petitioner No.3a and petitioner Nos.4b and 4c are present in the Court and they state that they have already handed over possession of the suit premises to the respondent – landlord and the Consent Terms have been signed by them as well as others of their own volition and after understanding its scope and import.

5] Mr. Janak M. Tanna, who has signed this Consent Terms for self and as Power of Attorney Holder on behalf of the landlords is also present in the Court. He states that he has signed the Consent terms on his own volition and after understanding its scope and import.

6] Accordingly, the Consent Terms are accepted and the petition is disposed of in terms of the Consent Terms. The undertakings, if any, in the Consent Terms are also accepted as undertakings to this Court.

7] Pending Civil Applications do not survive and the same are disposed of accordingly.

(M. S. SONAK, J.)