

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition NO. 9866 OF 2011

Manohar @ Mohan Ramchandra Devrukhkar
Deceased Through L.Rs.

Smt. Sushila M. Devrukhkar and another.

...Petitioners

Versus

Sou. Rukminibai Babanrao Bahirat

And Others

...Respondents

....

Mr. Sanjay Kshirsagar, Advocate for the Petitioners.

Mr. Jaydeep Deo, Advocate for Respondents No.1 to 11.

....

CORAM : R. G. KETKAR, J.

DATE : 03rd JULY, 2018

P.C.

1. Not on board. At the joint request of the learned Counsel for the parties, Writ Petition is taken up in the production board.

2. Heard Mr.Sanjay Kshirsagar, learned Counsel for the petitioners and Mr. Jaydeep Deo, learned Counsel for respondents No.1 to 11.

3. The learned counsel appearing for the parties have tendered Consent Terms dated 27.6.2018 duly signed by the petitioners and their Advocate as also by Nandkumar Bapusaheb Gorade, the Power of

Attorney holder of the respondents and by the respondents' Advocate. The Consent Terms are taken on record and marked 'A' for identification.

4. Mr. Kshirsagar states that petitioner No.2 Vivek M. Devrukhkar is present in the Court today. He has tendered a photo-copy of petitioner No.2's Aadhaar Card, which is taken on record and marked 'B' for identification.

5. Mr. Deo states that Nandkumar Bapusaheb Gorade, the Power of Attorney holder of the respondents is present in the Court today. He has tendered a photo-copy of his PAN card which is taken on record and marked 'C' for identification.

6. The learned Counsel for the parties submitted that the controversy between the parties in this Writ Petition is amicably resolved in terms of the Consent Terms. The petitioners have relinquished their right, title and interest in the suit premises and also confirmed that they have handed over possession of the suit premises to the respondents. The petitioners have given up their rights in lieu of receipt of Rs.1,00,000/- (Rupees One Lakh Only) in cash from the respondents. The petitioners have confirmed that they have received Rs.1 Lakh in cash. The parties admit and confirm the correctness of the

Consent Terms.

7. After hearing the learned counsel appearing for the parties and after perusing the Consent Terms, I am satisfied that the controversy between the parties in this Writ Petition is amicably and lawfully settled in terms of the Consent Terms. Undertaking/s given by the parties is/are accepted.

8. In view thereof, Mr. Kshirsagar seeks permission to withdraw this Petition. The Petition is allowed to be withdrawn in view of the Consent Terms and is disposed of as such. Rule is discharged with no order as to costs. Order accordingly.

(R. G. KETKAR, J.)

Deshmane (PS)