

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11982 OF 2012
AND
WRIT PETITION No. 346 OF 2013

Dhanpal Baburao Chougule and Others. ..Petitioners.
Versus
State of Maharashtra & Others. ..Respondents.

Mr. T. S. Ingale for the Petitioner.
Mr. P. G. Sawant, AGP for the State.
Mr. A. P. Shinde for Respondent No. 3.
Mr. Shardul Singh, Rahul Singh i/b M/s. DSK Legal for Respondent Nos. 4 and 5.

Coram : RANJIT MORE &
PRAKASH D. NAIK, JJ.
Date : **January 31, 2018.**

P. C. :

1. On 18th January 2018, we had passed following order :

"Parties to the petitions settled their disputes amicably and have prepared consent terms along with sketch. The consent terms are signed by the respective parties. The learned counsel submitted that respective parties are agreeable to the said terms and seek time to pass necessary resolution and to obtain signatures of the parties. Consent terms are taken on record and marked "X" for identification. In order to enable the parties to pass necessary resolution and to put their signatures, matter is adjourned to 31st January 2018."

2. Respondent Nos.4 and 5 have thereafter obtained necessary approvals and the Executive Engineer has been authorised to sign the consent terms. Accordingly, the Petitioners along with their advocate, the Executive Engineer of Respondent Nos.4 and 5 along

with their advocate and the learned Counsel for Respondent No.3 have signed the consent terms. Since consent terms are signed by all concerned, same are taken on record and marked "X-1" for the identification.

3. On behalf of the Petitioners, Petitioner Nos.1 and 2 are present before the Court. On behalf of Respondent Nos.4 and 5, the Executive Engineer is present in the Court. On specific query, they submitted that they have gone through contents of the consent terms and they have understood the same. They submitted that they have no objection if the petitions are disposed of in terms of the consent terms.

4. In the light of above, both the petitions are disposed of in terms of the consent terms. In view of the consent terms, Respondent No.1–State Government is directed to issue notification about the subject land under sub-section (2) of section 127 of the MRTTP Act. Necessary notification be issued as expeditiously as possible and at any rate within the period of three months from today.

5. In view of the disposal of writ petitions, civil application, if any, taken out in these petitions, does not survive and the same are accordingly disposed of.

[PRAKASH D. NAIK, J.]

[RANJIT MORE, J.]