

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Revision Application NO. 718 OF 2016

Mrs. Zenobia Farrokh Irani

..Applicant.

Versus

Mr Dinshaw Rushi Mehta (deleted)

And Ors, the Trustees of the Parsi Punchayet
Funds and Properties.

..Respondents

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Ms. Pooja Kharat i/b. Dahibawkar & Co. for the Applicant.

Ms. Meherzeen Asasia i/b. M/s. Mulla & Mulla & Craigie Blunt & Caroe,
for the Respondents.

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CORAM : R. G. KETKAR, J.

DATE : 03rd JULY, 2018

P.C.

1. Heard Ms.Pooja Kharat, learned counsel for the applicant and Ms.Meherzeen Asasia, learned counsel for the respondents.
2. The learned counsel appearing for the parties have tendered Consent Terms duly signed by the applicant and her Advocate as also by the respondents and their Attorneys. The Consent Terms are taken on record and marked 'A' for identification.
3. Ms. Kharat states that the applicant is present in the Court today. She has tendered a photo-copy of applicant's Aadhaar Card,

which is taken on record and marked 'B' for identification.

4. Ms. Asasia states that Ms. Mugdha M. Sawant, the Constituted Attorney of the respondents is present in the Court. She has tendered a photo-copy of her PAN card which is taken on record and marked 'C' for identification. Along with the consent terms the draft leave and licence agreement and the Power of Attorney given by the respondents to Ms. Mugdha M. Sawant is enclosed.

5. The learned Counsel for the parties submitted that the controversy between the parties in this Civil Revision application is amicably settled in terms of the Consent Terms. The learned counsel appearing for the parties submit that Civil Revision Application may be disposed of in terms of the Consent Terms. The parties admit and confirm the correctness of the Consent Terms.

6. 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 C.R.A. is amicably and lawfully settled in terms of the Consent Terms. By the proposed consent terms, the respondents have agreed to provide flat No.5, Sethna Building, Khareghat Colony, Hughes Road, Mumbai – 400 007 on leave and licence basis from the date of this consent terms to the applicant Ms.

Zenobia Farrokh Irani. The parties have further agreed that the terms of the leave and licence will be governed by the agreement to be executed by the Trustees of the Bombay Parsi Punchayat Funds and Properties and the applicant. The standard form draft of the leave and licence agreement usually entered into by the Trsutees of the Bombay Parsi Punchayat Funds and Properties is enclosed as Annexure-A to the consent terms. The applicant undertakes to execute the leave and licence agreement with such modifications, additions and alterations as the Trustees may deem fit.

7. In view thereof, Civil Revision Application is disposed of in terms of the Consent Terms. Undertaking/s given by the parties is/are accepted. The impugned order stands substituted by the Consent Terms. Order accordingly.

(R. G. KETKAR, J.)

Deshmane (PS)