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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO. 2584 OF 2018

IN

WRIT PETITION NO. 7609 OF 2018

WITH

WRIT PETITION NO. 7609 OF 2018

Mr Surajbhan Premshankar Bansal

...Applicant/Petitioner

vs

M/s Jiya Steel Pvt. Ltd.

...Respondent.

.....

Mr Anilkumar Patil for the Applicant/Petitioner

Mr Shanay Shah I/b Robin Fernandes & Gautam Sahni for Respondent
Nos.1 to 3.

Mr Sandesh D. Patil a/w Anusha P. Amin I/b Prithviraj S. Gole for
Respondent No.4.

Mr Sahil Vasani- Respondent No.4 present in person.

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**CORAM : B.P.COLABAWALLA, J.
DECEMBER 18, 2018.**

P.C. :

This Writ Petition has been filed challenging the order passed by the Trial Court dated 17th April, 2018 below Exh.39 in Regular Civil Suit No. 45 of 2017. Exh. 39 was an application filed by the Petitioner (original Plaintiff) under Section 151 of the Code of Civil Procedure, 1908 *inter alia* seeking restoration of possession of the suit property. It now appears that the parties have settled their disputes amicably and have tendered before me consent terms dated

18th December, 2018. These consent terms have been signed by the Petitioner who was the original Plaintiff as well as Respondent Nos.1 to 4 who were Defendant Nos.1 to 4 before the Trial Court. These consent terms provide that Respondent No.4 herein shall pay to the Petitioner a sum of Rs.20 Lacs as and by way of full and final amount of consideration towards settlement of the matter. In turn the Petitioner has agreed unconditionally to withdraw all proceedings pending, Civil as well as Criminal, before various Courts / Authorities/ Tribunal including the Revenue Tribunal. Considering that a settlement has now been arrived at between the parties as recorded in the consent terms dated 18th December, 2018, the consent terms are taken on record and marked "X" for identification. All undertakings given in the consent terms by the respective parties, are accepted. The Writ Petition is disposed of in terms of the consent terms. In view of the fact that the parties have settled entire dispute, nothing will survive in Regular Civil Suit No. 45 of 2017 and the same shall also be disposed of in terms of the consent terms.

2 Considering that the Writ Petition is disposed of, nothing survives in the Civil Application and the same is disposed of accordingly.

3 It has been brought to my notice that the Petitioner as well as Respondent Nos.2 to 4 are all present in the Court who have signed these consent terms. The same is duly noted.

(B.P.COLABAWALLA, J.)