

Sharayu Khot.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 2015 OF 2016

Lubina Co-operative Housing Society Ltd. ...Petitioner

Versus

**Municipal Corporation of Greater
Mumbai & Ors.**

...Respondents

Mr. Raju Morey, a/w Mr. Sagar A. Rane, for the Petitioner.

Ms. Geeta Joglekar, for the Respondent-BMC.

Mr. Sukanta Karmakar, AGP, for the Respondent No. 5.

Mr. R.D. Soni, i/by Ram & Co., for the Respondent No. 6 to 8.

**CORAM : ABHAY S. OKA AND
RIYAZ I. CHAGLA, JJ.**

DATE : 9 April 2018

ORDER :

1. The learned Counsel appearing for the Petitioner

and the learned Counsel appearing for the 6th to 8th Respondents tender Consent Terms which are taken on record and marked “C1” for identification.

2. The Consent Terms are signed by the Secretary of the Petitioner who is duly authorised by the Petitioner and who is personally present in the Court. The Consent Terms are signed by the 6th, 7th and 8th Respondents who are personally present in the Court. The Consent Terms are signed by the learned Counsel appearing for the aforesaid parties.

3. In view of the Consent Terms, the learned Counsel appearing for the Petitioner seeks permission to withdraw the Petition.

4. Accordingly, the Petition is disposed of as withdraw.

5. We however, make it clear that the Consent Terms will not bind to the 1st to 5th Respondents.

6. If there is any illegality associated with the premises in the subject building, 1st Respondent is free to take action in accordance with law notwithstanding the disposal of this Writ Petition.

[RIYAZ I. CHAGLA J.]

[ABHAY S. OKA, J.]