

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO.538 OF 2019

Rajnikant Laxmidas Somaiya and others.] Petitioners

Vs.

Haresh Kumar & Co and another.] Respondents

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Mr. Amrut Joshi a/w Mr. Suraj Iyer a/w Debashree Mandpe a/w Kavita Sharma i/b Ganesh & Co., learned Counsel for the Petitioners.

Mr. R.D. Vora, learned Counsel for the Respondents.

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CORAM : R.G. KETKAR, J.

DATE : 12th MARCH, 2019.

P.C.

Heard Mr. Joshi, learned Counsel for the petitioners and Mr. Vora, learned Counsel for the respondents.

2. Learned Counsel for the parties submit that controversy between the parties in this Writ Petition as also in R.A.E. Suit No.1545 of 2015 and R.A.E. Suit No.1970 of 2015 is amicably settled in terms of the consent terms. They have tendered consent terms dated 12th March, 2019 duly signed by the petitioners and partner of respondent No.2 as also by their Advocates. Along with the consent terms, copies of;

[a] agreements of permanent alternate accommodation to petitioners No.2,3 and 4 herein;

[b] power of Attorney executed by respondent No.1 in favour of partners of respondent No.2 namely Mr. Shilpin K. Taher and Jatin Daisaria.

are annexed. Consent terms along with annexures are taken on record and marked "A Colly" for identification.

3. Mr. Joshi submits that the petitioners are present in the Court. He has tendered photo copy of Aadhar Card of petitioner No.1-Rajnikant Laxmidas Somaiya, photo copy of Senior Citizen ID Card of Hansa Mahendra Somaiya, petitioner No.2, photo copy of Election Identity Card of Bhavana Mahendra Somaiya, petitioner No.3 and photo copy of Driving Licence of Aparna Asit Panjwani, petitioner No.4. The same are taken on record and marked “B Colly” for identification. Mr. Vora submits that partner of respondent No.2 -Shilpin K. Taher is present in the Court. He has tendered photo copy of his Driving Licence which is taken on record and marked “C” for identification.

4. The parties admit and confirm correctness of the consent terms. Learned Counsel for the parties submit that undertakings given in the consent terms may be accepted. They further submit that the Writ Petition as also R.A.E. Suit No.1545 of 2015 and R.A.E. Suit No.1970 of 2015 be disposed of in terms of the consent terms.

5. After perusing the consent terms, I am satisfied that controversy between the parties is lawfully settled in terms of the consent terms. Writ Petition as also R.A.E. Suit No.1545 of 2015 and R.A.E. Suit No.1970 of 2015 are disposed of in terms of the consent terms. Undertakings given by the petitioners and respondents are accepted. Decree shall be drawn in the suits in terms of the Consent Terms. The parties shall produce authenticated copy of this order in the trial Court for formal disposal of R.A.E. Suit No.1545 of 2015 and R.A.E. Suit No.1970 of 2015. The parties and the trial Court to act upon the authenticated copy of this order. Order accordingly.

6. Issuance of certified copy is expedited.

[R.G. KETKAR, J.]