

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO.5994 OF 2006

Ramanlal Manish Shah (since deceased)	]	
Shardaben Ramanlal Shah (deceased)	]	
2A) Ramanlal Manilal Shah and another.	]	Petitioners
Vs.		
M/s. Iwacom Pvt. Ltd and others.	]	Respondents

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Mr. V.T. Lulia, learned Counsel for the Petitioners.
Mr. Jaydeep Deo, learned Counsel for Respondents No.2 to 7.

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CORAM : R.G. KETKAR, J.

DATE : 19TH MARCH, 2019.

P.C.

Not on board. At the joint request of learned Counsel for the parties, taken up in the production board.

2. Heard Mr. Lulia, learned Counsel for the petitioners and Mr. Deo, learned Counsel for respondents Nos. 2 to 7.

3. Mr. Lulia seeks leave to delete respondent No.1 and submits that no rights of the first respondent are affected by the consent terms. Mr. Deo has no objection. In view thereof, on the oral application made by Mr. Lulia, respondent No.1 is deleted from the Petition. Amendment shall be carried out forthwith.

4. Mr. Lulia submits that petitioner No.1-Ramanlal Manilal Shah who is also arrayed as petitioner No.2A and petitioner No.2B-Naresh Ramnalal Shah are present in the Court. Mr. Deo submits that respondents No.2 to 7 are present in the Court. Learned Counsel for the parties have tendered consent terms duly signed by the petitioners, their Advocate as also respondents No.2 to 7 and their Advocate. Along with consent terms, plan showing the suit premises is enclosed at Exhibit A, plan showing half portion under new tenanted premises shown in the read border is enclosed as Exhibit B. Photo copies of;

- [1] Aadhar Card of petitioner No.1-Ramanlal Manilal Shah
- [2] Aadhar Card of petitioner No.2B-Naresh Ramnalal Shah;
- [3] Aadhar Card of respondent No.2-Kalaben Mahasukhbhai Turakhia,
- [4] Aadhar Card of respondent No.3-Meenaben Mahasukhbhai Turakhia
- [5] Aadhar Card of respondent No.4-Nutan Mahasukhbhai Turakhia,
- [6] Aadhar Card of respondent No.5-Saritaben Sudhirchandra Mehta
- [7] Aadhar Card of respondent No.6-A-Ashish Hemant Rawal
- [8] Aadhar Card of respondent No.6-B-Anjali Sanjay Kothari
- [9] Aadhar Card of respondent No.7-Jayashriben Gunvantrai Kothari

are annexed. The consent terms along with these documents are taken on record and marked "A Colly" for identification. The parties admit and confirm correctness of the consent terms. Learned Counsel for the parties submit that the Petition may be disposed of in terms of the consent terms by accepting undertakings given by the parties.

5. After hearing the parties and after perusing the consent terms, I am satisfied that the controversy between the parties is lawfully settled in terms of the consent terms. Undertakings given by the parties are accepted.

The Petition is disposed of in terms of the consent terms by substituting the impugned orders. Decree shall be drawn accordingly. Rule is discharged with no order as to costs.

6. The parties to act upon the authenticated copy of this order.

[R.G. KETKAR, J.]