

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

**ARBITRATION APPEAL NO.5 OF 2017
WITH
CIVIL APPLICATION NO.11 OF 2018**

Anand Laxman Patil (through his Legal Heirs) Yashwant A. Patil & Ors.	...	Appellants
versus		
M/s. Mangalmurti Developers & Ors.	...	Respondents

Mr. V.P.Patil, for Appellants.
Mr. G.S.Bhat, for Respondents.

CORAM: S.J. KATHAWALLA, J.

DATE: 25th JANUARY, 2019

P.C.:

1. By consent, proposed Appellant Nos.1(a) to 1(d) be added as Appellant Nos.1(a) to 1(d) in the above Arbitration Appeal. Mr. Jitendra Chandrakant Pawar residing at Navnath Bungalow, Sai Shruti Complex, Kharegaon, Thane, be added as Respondent No.1(c) being the partner of Respondent No.1. Amendments to be carried out on or before 30th January, 2019. Re-verification is dispensed with.
2. The learned Advocates for the parties have now tendered Consent Terms dated 25th January, 2019. They submit that the Consent Terms be taken on record and the above Arbitration Appeal be disposed of in terms of the Consent Terms, marked 'X'. The Consent Terms are taken on record and marked 'X' for identification. The Consent Terms are signed by the Appellants and the Partners of the Respondent

Firm. The contents of the Consent Terms are explained and interpreted to the Appellants and Respondents by the Office of the Interpreter, High Court, Bombay. The Respondents also undertake to handover possession of Flat No.402, Sai Residency A Wing, S.No.328/324, Diva Gaon, Sector 9, Diva Gaon as set out in the Consent Terms within one month from the date of passing of the order on Consent Terms. The Respondents also undertake and Appellant No.1(c) and Appellant No.2 confirm that they have been handed over the respective flats as set out in the Consent Terms. The above undertakings as well as undertakings recorded in the Consent Terms are accepted. The above Arbitration Appeal is disposed of in terms of the Consent Terms, marked 'X'. Civil Application No.11 of 2018 also stands disposed of.

(S.J.KATHAWALLA, J.)