

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

WRIT PETITION NO.12462 OF 2018

[P.T. Bangera & Ors. Vs. Michael Rodrigues]

WITH

WRIT PETITION NO.12453 OF 2018

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
---	----------------------------

Mr. Nigel Qureshi i/b. Krishnan Harsh, Advocate for the petitioner in WP/12453/2018 and for the respondent in WP/12462/2018.

Mr. Nusrat Shah a/w. Ema Almeida, Kevin Gala and Samaa Shah i/b. Samaa Shah, for the respondents in WP/12453/2018 and for the petitioners in WP/12462/2018.

CORAM : R. G. KETKAR, J.

DATE : 04/02/2019

P.C.:

1. Not on board. At the joint request of learned counsel for the parties taken up in the production board.
2. Heard Mr. Nigel Qureshi, learned counsel for the petitioner in WP/12453/2018 & for the respondent in WP/12462/2018 and Mr. Nusrat Shah, learned counsel for the respondents in WP/12453/2018 & for the petitioners in WP/12462/2018.
3. This matter is moved by way of a praecipe dated 4.2.2019 for speaking to the minutes of the order dated 23.1.2019. By consent of the parties, after paragraph-3 and before paragraph-4, the following paragraph is added.

**“3A. The learned Counsel for the parties agreed that
in case the tenants succeed in the suit, the
landlord will hand over possession of flats in the
newly constructed building to the tenants**

subject to obtaining O.C./part O.C. from the Corporation, which shall be subject to further order in the appeal. The tenants also agreed that in case the landlord succeeds in the appeal, they will hand over possession of their respective premises to the landlord which shall be subject to their rights to challenge said order.”

4. Order dated 23.1.2019 stands corrected to the aforesaid extent only. Rest of the order shall remain as it is. Order accordingly.

(R. G. KETKAR, J.)