

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

APPLICATION (APL) NO.1445 OF 2018

M/s. Vascon Dwelling Pvt. Ltd. & Ors.

...Applicants

vs.

The State of Maharashtra

...Respondents

Mr. Ganesh K. Gole i/b Mr. Ritesh Ratnam for the Applicants.

Ms. A. S. Pai for the Respondent/State.

Mr. Satyajeet P. Dighe for the Respondent No.2.

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.**

DATE : 05/03/2019.

P.C.:

. Applicants are present with their counsel. Respondent No.2 is present with his Counsel. Parties have already arrived at settlement for excess land not included in the Sale Deed on which building construction was proposed by the applicants. Applicants have already promised payment to Respondent No.2 complainant. Respondent No.2 complainant has accepted the settlement and has tendered affidavit today in the Court.

2. Today he has received three cheques in the sum totaling to Rs.41 Lakhs. It is not in dispute that earlier he has already received Rs.10 Lakhs.

3. In view of this position and joint request, subject to realization of cheques received by respondent No.2 today, we make Rule absolute in terms of prayer clause (a).

4. We direct parties to pay amount of Rs.1 Lakh as cost to the Police Welfare Fund of State of Maharashtra within a period of 4 weeks from today.

(REVATI MOHITE DERE, J.)

(B. P. DHARMADHIKARI, J.)