

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

FIRST APPEAL NO.1151 OF 1995

Dattani Associates & Anr. ..Applicants
Vs
Nand Dham Co-operative Housing & Anr. ..Respondents

Mr.Rajiv Narula a/w Mr.Advait Raorane Jhangiani, Narula & Associates for the Applicants.

Mr.Satish Dattani, Appellant No.2 and Partner of Appellant No.1 is present.

Mr.Sameer Bhalekar for Respondent No.1.

Mr.Madhuri More for Respondent No.2-MCGM.

Mr.Salvadore Saldanha, Secretary of the Respondent-Society.

Mr.T.V. Shettigar, Chairman of Respondent-Society.

CORAM : C.V. BHADANG, J.

**DATE : 21st SEPTEMBER 2020
(Through Video Conference)**

PC.

1. The Consent Terms duly signed by and on behalf of the parties and their respective counsel are taken on record and marked 'x' for identification. The signatories to the consent terms, are present virtually before the Court and they admit the correctness of

the contents of the consent terms. Undertakings furnished by the parties in the consent terms are accepted.

2. Mr.Narula, the learned counsel for the appellant seeks leave to delete the respondent No.2-Corporation from the array of the respondents.

3. The learned counsel for the appellant and the respondent No.1 submit that the appeal may be disposed of, in view of the consent terms. A copy of the consent terms shall form part of this order.

4. In the result, the following order is passed:-

ORDER

(i) Leave is granted to the appellants to delete the respondent No.2. The necessary deletion to be carried out within two weeks from today.

(ii) The First Appeal is disposed of, in view of the consent terms. (marked 'x' for identification).

(iii) In these circumstances, there shall be no order as to costs.

(iv) A decree be drawn accordingly.

5. All the parties shall act on the authenticated copy of this order and the consent terms duly signed by the Privater Secretary/Personal Assistant of this Court.

C.V. BHADANG, J.