

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9030 OF 2017

Milind s/o Machindra Kokane ...Petitioner

versus

Sushama w/o Subhash More and others ...Respondents

WITH
WRIT PETITION NO. 6565 OF 2020

Milind Machindra Kokane ...Petitioner

versus

Sushama w/o Subhash More and others ...Respondents

.....
Mr. Yuvraj S. Choudhari, advocate for the petitioner
Mr. R. A. Tambe, advocate for respondent No.1
.....

CORAM : V. K. JADHAV, J.
DATED : 18th JANUARY, 2021

PER COURT:-

1. Heard learned counsel for the petitioner and learned counsel for respondent No.1 for some time. None present for respondent Nos. 2 and 3 though they are formal parties.

2. Learned counsel for the petitioner submits that during pendency of these writ petitions, the parties have amicably settled the dispute and as per the oral terms of settlement, the petitioner has undertaken to pay an amount of Rs.10,00,000.00 (Rupees Ten lacs) to respondent No.1 original-plaintiff. Learned counsel submits that

out of the said amount, the petitioner has deposited an amount of Rs.4,35,000.00 (Rupees four lacs thirty five thousand) before the executing court. Learned counsel submits that due to pandemic situation, the petitioner could not deposit the remaining amount as agreed and undertaken. The petitioner is now ready to deposit the balance amount of Rs.5,65,000.00 (Rupees five lacs sixty five thousand) in the executing court within a period of 15 days from the date of this order.

3. Mr. Tambe, learned counsel for the respondent sole, on oral instructions, submits that the respondent has no objection if the amount of Rs.5,65,000.00 (Rupees five lacs sixty five thousand) is deposited within 15 days before the executing court and on depositing the said amount and after its withdrawal, the respondent No.1-original plaintiff would withdraw the pending execution petition.

4. In view of above, learned counsel for the petitioner seeks leave to withdraw both these writ petitions.

5. Leave granted. Both the writ petitions are disposed of as withdrawn.

(V. K. JADHAV, J.)