

Santosh

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

**FIRST APPEAL NO. 928 OF 2011
WITH
CIVIL APPLICATION NO. 160 OF 2011**

New Renu Co-operative Housing Society
Ltd.

...Appellant

Versus

M/s. Manas Land Development and ors.

...Respondents

**SANTOSH
SUBHASH
KULKARNI**

Mr. Amogh Anil Singh, i/b Mr. D. R. Shah, for the Appellant.
Mr. M. S. Kadu, for Respondent nos.1 and 2.

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SANTOSH SUBHASH
KULKARNI
Date: 2021.12.30
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CORAM: N. J. JAMADAR, J.

DATED : 22nd DECEMBER, 2021

PC:-

1. Heard Mr. Singh, the learned Counsel for the appellant, and Mr. Kadu, the learned Counsel for the respondents.
2. The learned Counsels make a joint statement that the parties have amicably resolved the dispute as, in view of the subsequent events, especially the change brought about by DCPR 2034, the impugned decree is not implementable.
3. The learned Counsels have tendered the Consent Terms.
4. The Consent Terms are executed by Mr. J. L. Patwa, the partner of respondent no.1 - M/s. Manas Land Development , Mr. S. A. Dalvi, the Director of respondent no.2 – Gharonda

Constructions Pvt. Ltd., and Jagruti Hemant Mehta, Chairman, Subhash K. Shah, Secretary, Pankaj N. Gada, Treasurer, Chetan C. Parekh, Member and Rusit Patel, Member and the office bearers of the appellant - New Renu Co-operative Housing Society Ltd. The signatories to the Consent Terms are present before the Court. They are identified by their respective Counsels. The signatories to the Consent Terms admit the contents of the Consent Terms and execution thereof.

5. A copy of the resolution passed by the Managing Committee of the Society is tendered for the perusal of the Court.

6. The Consent Terms are taken on record and marked 'X'.

7. In view of the aforesaid statements made before the Court, the appeal stands allowed in accordance with the Consent Terms ("X"). The Consent Terms ("X") shall form part and parcel of the decree.

8. The parties shall bear their respective costs.

9. Decree be drawn up accordingly.

10. In view of disposal of the appeal, the application does not survive and stands disposed of.

[N. J. JAMADAR, J.]