

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5531 OF 2022**

Mr. Nagnath Bali Abhiwant

....Petitioner

V/s.

The State of Maharashtra Through
Chief Secretary & Ors.

....Respondents

Mr. Hemant Ghadigaonkar a/w Mr. Sandesh More, Mr. Hitendra Gandhi and Ms Pallabi Chatterjee for Petitioner.

Mr. Akash Menon a/w Mr. Kalash Bakliwal for Respondent No.8.

Mr. A. I. Patel, Addl GP a/w Ms K. N. Solunke AGP for State.

Mr. Tapan Kumar Bandyopadhyay, General Manager, Respondent No.8 present.

**CORAM : K. R. SHRIRAM &
NEELA GOKHALE, JJ.
DATED : 1st NOVEMBER 2023**

PC. :

1 After the petition was heard for sometime on the previous occasion, the court suggested to the parties that they should explore the possibility of amicably resolving the dispute. Mr. Menon stated that he will have to take instructions because there are disputed questions of facts. At the same time, Mr. Menon stated that he shall take instructions. Mr. Ghadigaonkar was agreeable to settle.

2 Today, it was informed to the court that without admission of any liability or accepting any of the contentions raised by petitioner in the petition, respondent no.8 has, as a special case, in the peculiar facts and circumstances and not to be considered as a precedent, agreed to settle and parties have arrived at settlement terms. Mr. Ghadigaonkar on instructions

states that petitioner is agreeable and also states neither he personally nor petitioner shall disclose in any manner the terms of settlement to anybody. Statement accepted as an undertaking to this court.

3 Parties have tendered minutes of order dated 1st November 2023, which is taken on record and marked as “X” for identification. Mr. Ghadigaonkar identified petitioner’s signature and further states petitioner is present in court. Mr. Menon likewise, identified the signature of the authorised signatory of respondent no.8 and states the signatory is present in court. The minutes of order shall be placed in an envelope and sealed by the Associate of this court Ms. Varsha Ubale and the same shall be placed in the custody of Registrar Judicial, Appellate Side, Mumbai. The envelope shall not be opened without specific order of this court.

4 Mr. Menon on instructions states that the undertaking given in the minutes of order shall be honoured. Statement accepted.

5 Petition disposed. No order as to costs.

(NEELA GOKHALE, J.)

(K. R. SHRIRAM, J.)