

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11758 OF 2023

The New India Assurance Co. Ltd. ... Petitioner

V/s.

Titagarh Industries Ltd. ... Respondent

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Mr. V. Y. Sanglikar, Advocate for the Petitioner.
Mr. Siddhesh Bhole a/w Mr. Yakshay Chheda & Riddhi Matekar i/b
SSB Legal and Advisory, for the Respondent.

CORAM : RAJESH S. PATIL, J.

DATED : 18 OCTOBER 2023

PC.:

1. This Writ Petition is filed challenging the Judgment and Order passed on 21 August 2021 on order below Exhibit-9 by the Court of Small Causes Court at Mumbai in T. D. Suit No.64 of 2021 (Tenancy Dispute Suit under Section 41 of the Presidency Small Cause Courts Act, 1982) and the Judgment and Order dated 12 April, 2023 passed by Appellate Bench of the Small Causes Court, Mumbai.

2. By consent of parties, the impugned Judgment and Order dated 21 August, 2021 and 12 April, 2023, are quashed and set side, without prejudice to the rights and contentions of both the parties on the following conditions.s

3. The Petitioner / Insurance Company will not obstruct to the peaceful enjoyment of the suit premises by the authorized representatives of Respondent Company, till the disposal of this suit or the disposal of the eviction suit filed by the Insurance Company before the Estate Officer, (whichever is earlier).
3. All the parties to act on an authenticated copy of this order. Issuance of certified copy of this order is expedited.
4. Writ Petition is accordingly disposed of.

(RAJESH S. PATIL, J.)