

*Arjun*

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

**WRIT PETITION NO.9609 OF 2023**

Bajarang Pandurang Kumbhar & Ors. ...Petitioners

V/s.

Chief Executive Officer, ...Respondents  
Slum Rehabilitation Officer & Ors.

Mr. Sagar P. Batavia, for the Petitioners.

Mr. Jagdish G. Reddy, for Respondent Nos.1, 3, 7 & 8/SRA.

Ms. Aparna Vhatkar, for Respondent No.2-AGRC.

Ms. Rutuja Patil a/w Hasan Mushabber i/b Negandhi Shah &  
Himayatullah, for Respondent No.4.

**CORAM : MADHAV J. JAMDAR, J.**

**DATED : SEPTEMBER 07, 2023**

**P.C.:**

**1.** At the outset, learned counsel appearing for the Petitioners seeks leave to add Petitioner Nos.11 to 16 as additional Petitioners. Leave as sought is granted. Amendment be carried out forthwith. Re-verification is dispensed with.

**2.** Learned counsel appearing for the Petitioners states that except Petitioner No.3-Suresh Tembe who is suffering from Paralysis and Petitioner No.9 all other Petitioners including added Petitioner Nos.11 to 16 are present in the Court. He states that except Petitioner No.9 all the Petitioners have signed the Consent Terms. He states that although the Petitioner No.9 was earlier agreeable for the Consent Terms however, thereafter, refused to

sign the Consent Terms. Learned counsel appearing for Respondent No.4 states that their authorized signatory-Mr. Zakirhusain A. Chaugule is present in Court.

**3.** Learned counsel appearing for the Petitioners and learned counsel appearing for Respondent No.4 state that the parties have settled the dispute.

**4.** Accordingly, the Petitioners/their Constituted Attorneys who are present in the Court states that they have signed the Consent Terms and that the dispute between the Petitioners and the Respondent No.4 has been settled in terms of the Consent Terms. The signatures/thumb impressions on the Consent Terms are identified by their respective Advocates. The resolution of Respondent No.4, authorizing Mr. Zakirhusain A. Chaugule to execute the Consent Terms is annexed to the Consent Terms. Photocopies of Aadhaar Cards of all the parties are annexed to the Consent Terms. All the Petitioners/their Constituted Attorneys who are present in the Court as well as the authorized signatory of the Respondent No.4 state that the dispute between them is settled in terms of the Consent Terms. The Consent Terms are taken on record and marked 'X' for identification.

**5.** Accordingly, the Writ Petition is disposed of in terms of the Consent Terms. Undertakings given in the Consent Terms are accepted as undertakings given to this Court.

**6.** It is clarified that, as the Petitioner No.9 has not signed the Consent Terms, the same will not bind the Petitioner No.9. The Petitioner No.9 is granted liberty to file separate Writ Petition. All the contentions on merits as far as Petitioner No.9 is concerned are expressly kept open.

**7.** Accordingly, the Writ Petition is disposed of in above terms with no order as to costs.

**[MADHAV J. JAMDAR, J.]**