



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11262 OF 2011

Chandradhar Ramakshaibar Mishra

...Petitioner

Versus

President/Secretary, Nutan Hindi Sahitya Mandal
& Ors.

...Respondents

Ms. Jai Kanade i/b. Mr. Rahul Ram Shirgavkar, for the Petitioner.

Mr. Arvind G. Kothari, for Respondent Nos. 1 and 2.

Mr. P. P. Pujari, AGP, for the State/Respondent Nos.3 and 4.

CORAM : MADHAV J. JAMDAR, J.

DATED : 15th SEPTEMBER 2023

P.C. :

1. Heard Ms. Jai Kanade, learned counsel appearing for the Petitioner, Mr. Arvind Kothari, learned counsel appearing for Respondent Nos.1 and 2 and Mr. Pujari, learned AGP appearing for Respondent Nos.3 and 4.

2. At the outset, Ms. Jai Kanade, learned counsel appearing for the Petitioner seeks leave to amend to substitute name of Smt. Pushpa Rajesh Pandey, present Headmistress of Nutan Saraswati Vidyalaya in place of Respondent No.2. Leave as prayed is granted to substitute name of Smt. Pushpa Rajesh Pandey, present Headmistress of Nutan Saraswati Vidyalaya in place of Respondent No.2. Amendment be carried out forthwith. Re-verification is dispensed with.

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3. Ms. Jai Kanade, learned counsel appearing for the Petitioner and Mr. Arvind Kothari, learned counsel appearing for Respondent Nos. 1 and 2 state that dispute between the Petitioner and Respondent Nos.1 and 2 has been settled in terms of the Consent Terms. Both of them tender the Consent Terms along with Consent Minutes of Order. The said Consent Terms and Consent Minutes of Order has been signed by the Petitioner and Respondent Nos.1 and 2. The same is also signed by learned counsel appearing for the Petitioner and learned counsel appearing for Respondent Nos.1 and 2. The Petitioner- Shri. Chandradhar Ramakshaibar Mishra is personally present in Court. The Secretary of Respondent No.1-Nutan Hindi Sahitya Mandal namely Shri. Devendra Shambhu Nath Pathak as well as Respondent No.2- Smt. Pushpa Rajesh Pandey, the present Headmistress of Nutan Saraswati Vidyalaya are personally present in Court. All of them state that the dispute between the Petitioner and the Respondent Nos.1 and 2 has been settled in terms of the Consent Terms along with Consent Minutes of the order. All of them state that the signatures appearing on the Consent Terms and Consent Minutes of Order are their respective signatures. To the Consent Terms and Consent Minutes of Order, self attested photocopies of Aadhar Card

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of respective parties are annexed. To the said Consent Terms and Consent Minutes of Order, resolution dated 1st September 2023 of the Respondent No.1- Nutan Hindi Sahitya Mandal is also annexed authorizing its Secretary-Shri. Devendra Shambhu Nath Pathak to execute the Consent Terms in the present Writ Petition.

4. Accordingly, the said Consent Terms/Consent Minutes of Order are taken on record and marked “X” for identification.

5. A soft copy of the Consent Terms/Consent Minutes of Order will be uploaded as the second order in the matter.

6. Accordingly, the following order is passed:-

ORDER

(a) The Writ Petition is disposed of in terms of the Consent Terms and the Consent Minutes of Order.

(b) Accordingly, the Respondent Nos.3 and 4 are directed to comply with Clause Nos.11 and 12 of the Consent Minutes of Order in accordance with law.

(c) The Respondent Nos.3 and 4 are also directed to comply with Clause No.15 of the Consent Minutes of Order in accordance with law.

7. The Writ Petition is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]