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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1841 OF 2024

IN

WRIT PETITION NO.45 OF 2005

Prashant R. Rane

...Applicant

IN THE MATTER BETWEEN :

Smt.Neeta R. Rane & Ors.

...Petitioners

V/s.

Abdul Rehman Haji Umer Motiwalla,
since deceased through His L.Rs. -

Smt.Sumaniya S. Kapadia & Ors.

...Respondents

Mr.Sanjeev Sawant with Mr.Abhishek P. Deshmukh and
Ms.Bhakti Wast for the Petitioners.

Mrs.Shahnaz Beg for the Respondents.

CORAM : RAJESH S. PATIL, J.

DATE : 20TH FEBRUARY, 2024.

P.C. :-

1. This Interim Application is filed to bring on record the legal heirs of the sole Respondent. There is some delay in filing the Interim Application.

2. Ms.Beg appearing for the proposed Respondents

submits that she is appearing for the proposed legal heirs. She submits that she has no objection if this Interim Application is allowed.

3. Heard. I have gone through the contents of the Interim Application. Case is made out to allow this Interim Application. The Interim Application is allowed in terms of prayer clauses (a) and (i a) of the Interim Application.

4. The amendment to be carried out forthwith.

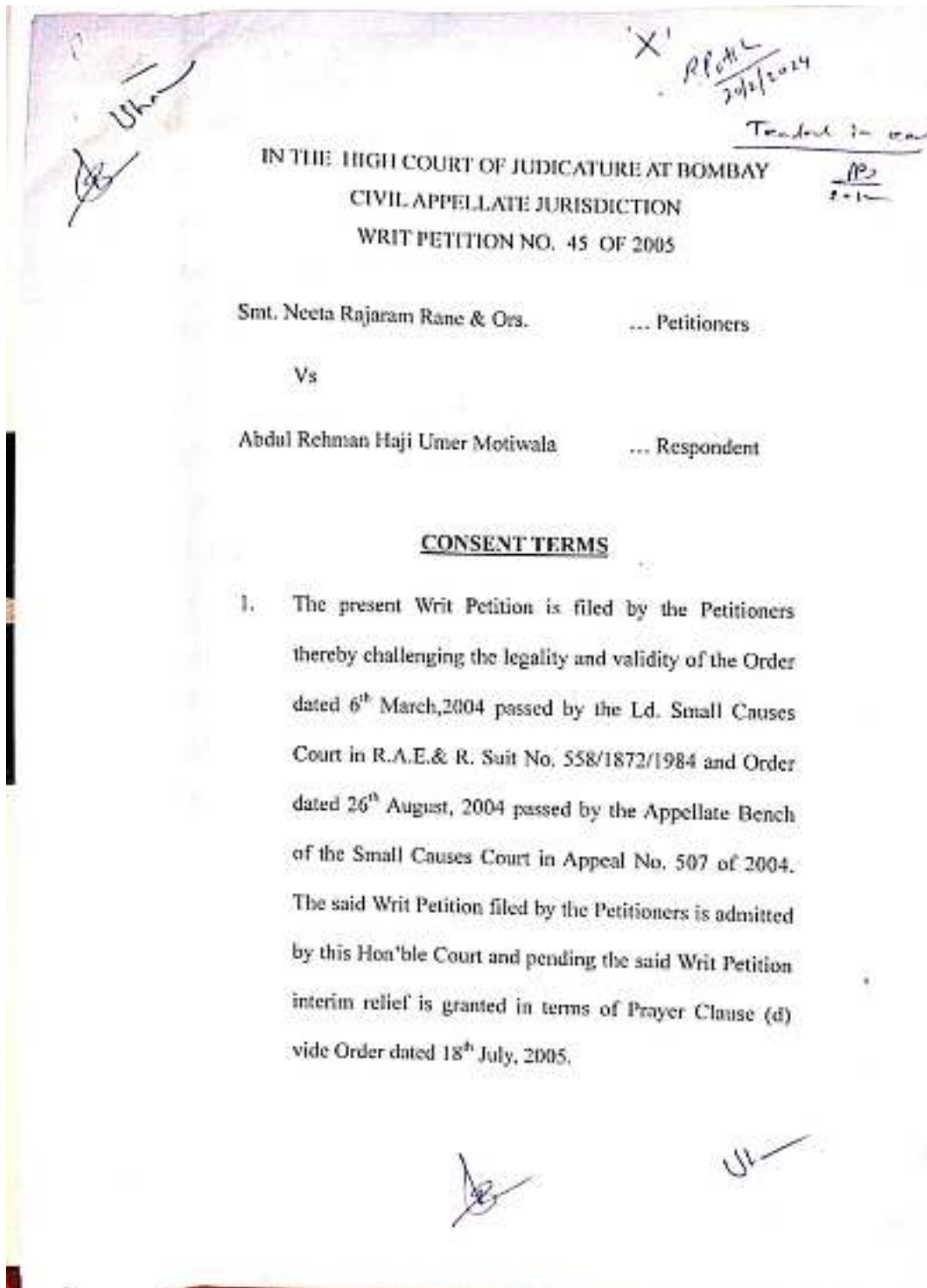
5. The Interim Application is accordingly disposed of.

WITH
WRIT PETITION NO.45 OF 2005

1. Mr.Sawant appearing for the Petitioners tenders the consent terms dated 20 February 2024. Mr.Sawant and Ms.Beg submit that they have signed the consent terms and also their respective clients, who are present in Court have understood and signed the consent terms.

2. The consent terms are taken on record and marked “X” for identification. All the statements made in the consent terms are accepted as an undertaking given to this Court.

3. For ease of reference, scan copy of the consent terms are reproduced herein below :-



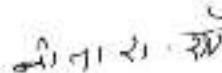
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2. During the pendency of the present Writ Petition, the parties to the present Writ Petition have settled the dispute with respect to the suit property i.e. Room No.18, 2nd Floor, Jilani Manzil, 126, Gokhale Road, Dadar, Mumbai-400028 on the terms as mentioned in the present Consent Terms.
 3. The Petitioners hereby have agreed to pay the amount of Rs. 1,55,813.52(Rupees One Lakh Fifty Five Thousand Eight Hundred Thirteen and Fifty Two Paise only) to the Respondent Nos. 1 to 3 towards the arrears of rent upto February, 2024 with respect to the above mentioned premises and the said amount shall be paid by the Petitioners as and by way of Demand Draft bearing no.500284dated 17th February,2024 drawn on ICICI Bank, Dadar-Gokhale Road Branch in favour of Sumaiyah Supiyan Kapadia i.e. Respondent No. 1.
 4. The Respondents confirms that Petitioner Nos. 1 to 5 have paid all arrears of rent till February, 2024.
 5. The Respondent Nos. 1 to 3 hereby undertakes to this Hon'ble Court that there will be no dispute with respect
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to the payment of arrears of rent till February, 2024 after accepting the said amount as mentioned in Paragraph No.4.

6. The Petitioner Nos. 1 and 5 are not having any objection if the rent receipts with respect to the suit premises are issued in favour of the Petitioner Nos. 2 to 4 by the Respondents.
 7. It is hereby agreed and undertaken by the Petitioners and Respondents that, the petitioners shall pay monthly rent to the respondents @ Rs. 500/- per month from March 2024 with respect to the suit premises. The said rent shall be paid by the petitioner on or before 10th day of every calendar month.
 8. The Respondents hereby undertake to this Hon'ble Court that from March 2024, after the monthly rent is paid by the Petitioners, the Respondents shall issue rent receipts in the name of the Petitioner Nos. 2 to 4. In case of default in payment of rent by the Petitioners, Respondents are entitled to initiate legal proceedings as they may be advised.
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9. In view of the parties settling the present dispute amongst themselves, the present Writ Petition stands disposed of as settled.

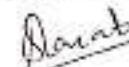
Dated, this 20th day of February, 2024.


(Smt. Neeta Rajaram Rane)


(Ashish Rajaram Rane)


(Prashant Rajaram Rane)

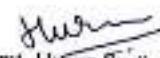

(Vnibhav Rajaram Rane)


(Mrs. Sangeeta Nitin Parab)
Petitioners


(Smt. Sumaiyah Supriya Kapadia)


(Smt. Hafsa Sameer Maniar)


Advocate for Respondents
(Shahryar Mubliin Baig)


(Smt. Husna Sarfaraz Darvesh)
Respondents

4. Order in terms of the consent terms.
5. The Writ Petition is accordingly disposed of in view of the consent terms being entered into the parties.

(RAJESH S. PATIL, J.)