



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1845 OF 2024

Marzban Faredoon Irani

Since deceased Thr. L.Rs. and Others.

...Petitioners.

Versus

Raian Faredoon Mazda and Another.

...Respondents.

*Mr. S. G. Karandikar, Mr. Harshad Sathe, Mr. Shashank Mangle, Mr. Yuvraj Warghade, Mr. Sourabh Butala and Manvi Sharma for the Petitioner.
Mr. P. J. Thorat i/b Shreyas S. Adyanthaya for the Respondent No. 1.*

Coram : Sharmila U. Deshmukh, J.

Date : December 13, 2024.

P. C. :

1. The only clarification sought by the Petitioners is that the consent terms filed before this Court in Special Civil Application No. 1010 of 1974 have been accepted by this Court vide order dated 2nd October 1978 as the authorities have held that the consent terms were filed but the same were not accepted by this Court.

2. Perusal of the consent terms as well as the order dated 2nd October 1978 makes it clear that this Court had passed an order in terms of the consent terms and had therefore accepted the consent terms. In view thereof, the observation of all the authorities, i.e., Tahsildar, SDO and MRT *qua* the acceptance of consent terms are

hereby quashed and set aside.

3. Parties are at liberty to adopt appropriate proceedings as permissible in law. Needless to clarify that except the above clarification, all other rights and contentions of all the parties are expressly kept open.

4. Petition stands disposed of.

[Sharmila U. Deshmukh, J.]