
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8471 OF 2024

Shreya Ramesh & Ors.

.. Petitioners

Versus

State of Maharashtra & Ors.

.. Respondents

Mr.Rubin Vakil a/w Amit Mishra, Punit Agarwal i/b Dhaval Vussonji & Associates, Advocates for the Petitioners.

Mrs.Padma Chinta a/w Harshad Bhadbhade, Advocates for Respondent No.4.

Ms.S.D.Vyas, Addl. G.P. a/w P.N.Diwan AGP for State-Respondent.

Ms.Hema Ramesh, Petitioner No.2 present in Court.

Mr.P.R.Ramesh, Petitioner No.3 is present in Court.

Mr.Alok Jain, representative of Respondent No.4 is present in Court.

CORAM :B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.
DATE : JULY 16, 2024

P. C.

1. The above Writ Petition is filed seeking a direction to Respondent No.2 to issue a warrant for possession of Flat No.702 admeasuring 1350 sq.ft. Carpet area in 'C' Wing of building known as "Olivia" in the Complex known as "Neelkanth Woods" (subsequently renamed "Verraton") and put the Petitioners in possession thereof. The

other relief sought is to direct Respondent No.3 to execute the Warrants dated 29th November 2023 and 23rd February 2024 issued by Respondent No.2 in execution of the orders dated 18th May 2022 and 17th October 2022 respectively. The real dispute in the present Petition is between the Petitioners who are purchasers of flats from Respondent No.4, and who is the developer.

2. Today when the matter is called out, we are happy to note that the disputes between the Petitioners and Respondent No.4 have been settled as recorded in the Consent Terms dated 16th July 2024.

3. The Consent Terms have been signed by Petitioner No.2 for herself as well as in her capacity as the constituted Power of Attorney of Petitioner No.1. The Consent Terms are also signed by Petitioner No.3. Petitioner Nos.2 and 3 are present in Court today. They both stated that they have signed the Consent Terms of their own free will and after reading and understanding the same as well as the implications thereof.

4. The Consent Terms are also signed by one Mr.Alok Jain who is the Authorized Signatory of Respondent No.4. Mr.Alok Jain is also present in Court today and has stated that he has signed the Consent Terms of his own free will and after reading and understanding the same as well as the implications thereof.

5. The Consent Terms are also signed by the advocates for the Petitioners and the advocates for Respondent No.4.

6. In these circumstances, the Consent Terms dated 16th July 2024 are taken on record and marked “X” for identification. All the undertakings given in the Consent Terms are accepted as undertakings given to the Court. There shall be an order in terms of the Consent Terms and the Writ Petition is also disposed of in terms thereof. However, there shall be no order as to costs.

7. Though we have disposed of the above Writ Petition, we now place it on board on 2nd September 2024 for reporting compliance of the terms of the Consent Terms filed today.

8. Stand over to 2nd September 2024.

9. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]