

Wadhwa

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 778 OF 2024

Sunjay M Ghalla ...Petitioner
Versus
The Chief Officer, Mumbai Building Repair And
Reconstruction Board ...Respondent

Mr JK Shah, with Rahul Gupta, i/b RJ Law, for the Petitioner.
Mr Saket Mone, with Shrey Shah, i/b Vidhii Partners, for Respondents
Nos 4 to 7.
Mr Piyush Raheja, with Rubin Vakil, Jigar Shah, i/b Markand
Gandhi & Co, for Respondent Nos 8 to 11.
Mr Rajiv Narula, with Milind Mane, i/b Jhangiani Narula &
Associates, for Respondent No 12.
Mr Anirudh Hariani, with Niket Jani, i/b Jani & Parikh, for
Respondent No 13.
Mr Sachin Karia, with Nikita Kadam, i/b Law Point Advocates &
Solicitors, for Respondent No 14.
Mr Shubham Gurav, i/b Talekar & Associates, for MHADA.

CORAM G.S. Patel &
Kamal Khata, JJ.
DATED: 22nd April 2024

PC:-

1. The disputes between the Petitioner and Respondents Nos 8 to 11 and 12 are settled. Signed Consent Terms are tendered. The Consent Terms are taken on record and marked “X” for

identification with today's date. The Consent Terms are signed by the 1st Petitioner, the 2nd Petitioner, Respondents Nos 8, 9, 10, 11, 12 and their respective Advocates. The Consent Terms are in order. They are not contrary to law. We are satisfied that the parties have drawn the Consent Terms of their own volition and in reflection of their true intentions.

2. The undertakings, if any, in the Consent Terms are accepted as undertakings to the Court.

3. As between the Petitioner and Respondents Nos 8 to 11 and 12, the Petition is disposed of with an order in terms of the Consent Terms.

4. The Registry is to ensure that the hard copy of the signed Consent Terms is permanently retained on file as part of the record and is not sent for destruction in the normal course. A soft copy of the signed Consent Terms will be uploaded as the second order in the matter.

5. We clarify that parties are at liberty to tender a certified or authenticated copy of this order and of the Consent Terms, if required, before the Collector of Stamps or the Sub-Registrar of Assurances as the case may be.

6. In view of this, the Maharashtra Housing and Area Development Authority ("MHADA") is directed to consider the proposal for redevelopment in accordance with law at the earliest.

This consideration by MHADA will be subject to compliance with all applicable rules, regulations and policies.

(Kamal Khata, J)

(G. S. Patel, J)