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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

**FIRST APPEAL NO. 441 OF 2025
WITH
INTERIM APPLICATION NO. 1673 OF 2025**

Smt. Saira Banu Munawar Kazi and Ors. Appellants
Versus
Smt. Binju W/o. Bholanath Yadav and Ors. Respondents

Mr. Aslam Malik for the Appellants.
Mr. Sandeep Nirban i/b. Mr. Rakesh Agarwal for the Respondent Nos. 1 to 4
Smt. Saira Banu Munawar, Appellant No. 1 present in Court.
Feroz Munawar Kazi, Appellant No. 2 present through VC
Yusuf Munawar Kazi, Appellant No. 3 present in Court.
Nilofar Munawar Kazi, Appellant No. 4 present in Court.
Smt. Binju Bholanath Yadav, Respondent No. 1 present in Court.
Manoj Bholanath Yadav, Respondent No. 2 present in Court.
Rahul Bholanath Yadav, Respondent No. 3 present in Court.
Rohit Bholanath Yadav, Respondent No. 4 present in Court.

CORAM : M. M. SATHAYE, J.

DATED : 1st DECEMBER 2025

P.C.:

1. Learned Counsel for the Appellants and learned Counsel for the Respondent Nos. 1 to 4 have jointly tendered the consent terms duly signed by the Appellant Nos. 1 to 4 and Respondent Nos. 1 to 4 and their respective Advocates. They submit that the dispute is amicably settled in terms of the consent terms. The said consent terms (page 1 to 16) are taken on record and marked 'X' for identification. Respondent No. 5 Co-Operative Housing Society has not signed the consent terms.

2. The Appellant Nos. 1, 3 & 4 are present in the Court physically and Appellant No. 2 is present through VC, who are duly identified by their Advocate. On a query by the Court, they confirm that they have signed the consent terms after understanding the contents therein and implications thereof.

3. Similarly, Respondent Nos. 1 to 4 are also present in the Court and they are duly identified by their Advocate. On a query of the Court, they confirm that they have signed the consent terms after understanding the contents therein and implications thereof.

4. The Appellants, inter alia, have agreed to withdraw the Appeal unconditionally and the Respondent Nos. 1 to 4 have agreed to withdraw the *mense profit* application which is pending in the City Civil Court. The Appellants have undertaken that they shall not interfere with the possession of the Respondent Nos. 1 to 4 to claim any rights in the suit premises. Appellants and Respondent No. 1 to 4 have also undertaken not to initiate any proceedings or complaint against each other. They have also undertaken not to seek or demand any money in the form of rent, compensations etc.

5. Undertakings given in the consent terms are accepted.

6. Considering the submissions, the **Appeal and pending Interim Application are disposed of** in terms of the consent terms, read with this order.

7. Refund of court-fees, if applicable, be issued according to Rules.

(M. M. SATHAYE, J.)