

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

WRIT PETITION NO. 9440 OF 2025

M/s. Real Venture Investment LLP ... Petitioner
Versus
State of Maharashtra and Others ... Respondents

VISHAL
SUBHASH
PAREKAR

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Mr. Hitesh Vyas a/w. Mr. Rasik Raut, for the Petitioner.
Ms. M.S. Bane, AGP for Respondents No. 1 to 3.
Mr. Lokesh Zade, for Respondent No. 4.
Mr. Vaibhav Salvi i/b. Mr. Vishal Dushing, for Respondents No. 5 to 9.
Mr. Prasad Avhad i/b. Mr. Chetan Nagare, for Respondent No. 10.

**CORAM : MANISH PITALE AND
SHREERAM V. SHIRSAT, JJ.**

DATE : 27th APRIL, 2026

P.C. :

1. On 22nd April, 2026, this Court had passed the following order:

“1] In this petition, the learned counsel for the petitioner and the learned counsel representing respondent Nos. 5 to 9 submit that the dispute between the said parties has been settled as per the consent terms dated 22nd April, 2026. Learned counsel submits that on the basis of said consent terms, the Writ Petition can be disposed of.

2] It is relevant to note that this Writ Petition arises out of an order dated 6th May, 2025 passed by the respondent No. 3- Sub Divisional Officer and competent authority. Perusal of the same shows that respondent Nos. 10 and 11 were parties in the proceeding before respondent No. 3.

3] Respondent No. 12 was not a party in the said proceeding. Nonetheless, the petitioner has added the said company as party. Respondent No. 10 is represented by learned counsel, upon whom

copy of the consent terms is served today and he seeks short adjournment to take instructions in the matter.

4] We also sought a clarification from the petitioner as to whether the consent terms executed between the petitioner and respondent Nos. 5 to 9, would in any manner trench upon the interests of respondent Nos. 10 to 12. In that light, we are inclined to adjourn the proceeding. 5] At this stage, the learned counsel for the petitioner submits that this Court may consider dispensing with the personal presence of the partner of the petitioner and respondent Nos. 5 to 9 who are the parties to the consent terms on the next date of listing, as all of them are present in person today before this Court. It is further brought to the notice of this Court that respondent No. 6 is a cancer patient undergoing treatment and therefore it would be difficult for him to attend the Court proceeding on the next date.

6] We have verified from the photocopies of the documents such as Aadhar cards and Pan cards annexed to the consent terms that the said parties are indeed present in Court today.

7] In view of above, list this petition in the category of 'fresh matters' on 27th April, 2026.

8] The presence of the parties to the consent terms is dispensed with for the next date of listing.

9] The consent terms are returned to the learned counsel for the parties to be presented on the next date of listing. In the meanwhile, respondent No. 4 Corporation may file its reply affidavit on record."

2. Today when the petition is taken up for consideration, the learned counsel for respondent No. 10 submits that this Court may call for an undertaking from the parties to the consent terms that they would not raise any claim in future as against the said respondent.

3. Learned counsel for the petitioner in that context tendered a copy of an affidavit dated 9th January, 2024. The said affidavit has been signed by the petitioner as well as respondent Nos. 10 to 12 wherein respondent Nos. 10 to

12 have recorded their consent as regards the compensation payable to the petitioner.

4. Learned counsel for the petitioner in that context further submits on instructions that since there is no claim *interse* between the petitioner and respondent Nos. 10 to 12, it is stated on behalf of the petitioner that in future also the petitioner would not raise any claim against respondent Nos. 10 to 12. The aforesaid statement should satisfy the apprehension expressed on behalf of respondent No. 10. As regards respondent Nos. 11 and 12, despite service, they have chosen not to appear before this Court.

5. In view of the above, the consent terms dated 22nd April, 2026 executed between the petitioner and respondent Nos. 5 to 9 are taken on record and marked “X” for identification. The copy of the affidavit dated 9th January, 2024 referred to here-in-above along with photocopies of the documents are taken on record and marked “Y” for identification.

6. The statement made on behalf of the petitioner in the context of respondent Nos. 10 to 12 is recorded as an undertaking to this Court.

7. The parties to the consent terms are directed to abide by their respective obligations. The undertakings given in the said consent terms are recorded as undertakings given to this Court.

8. Writ Petition is disposed as per the aforesaid consent terms.
9. In the light of being Writ Petition is disposed of as per the consent terms, the Court where Civil Miscellaneous Application No. 577 of 2025 is pending at Pune, is directed to release the compensation as per the consent terms.
10. We are informed that the proceedings are presently taken up by the In-charge Court at Pune. Accordingly, the In-charge Court at Pune is directed to take up the matter as expeditiously as possible.
11. Pending applications if any, are disposed of.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)