

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO. 1572 OF 2016**

Jerry Francis Gomes &amp; Ors.

... Petitioners

**Versus**

The State Of Maharashtra &amp; Ors.

... Respondents

\*\*\*\*\*

Mr. Anil Rajnath Mishra for Petitioners.

Mr. A.A. Kumbhakoni, Advocate General a/w. Ms.Uma Palsule-Desai, A.G.P for Respondent Nos.1 to 4 (State).

Mr.Vijay Patil for Respondent No.5 (SRA).

Mr.Girish S. Godbole a/w. Mr.Suresh More for Respondent Nos.6 &amp; 8.

Mr.Prashant P. Chawan i/b. Mr.Ravindra Chile for Respondent No.7.

\*\*\*\*\*

**CORAM : R. D. DHANUKA &  
S. M. MODAK, JJ.****DATE : 6<sup>th</sup> JANUARY 2022.  
(Through Video Conference)****PC. :-**

1. We have noticed minutes of consent Order between Petitioners and Respondent No.6 dated 9<sup>th</sup> August 2019 on the record of this Writ Petition. A perusal of the minutes of consent Order indicate that the Petitioners and Respondent No.6 who are private parties have agreed for quashing and setting aside the acquisition of the plot in-question by recording the assurance of the Respondent No.8 to grant written consent to Respondent No.6 and the developer of M/s.Laxmi Construction appointed by Respondent No.6.



2. *Prima-facie* in our view two private parties to the Petition cannot agree for setting aside the acquisition proceedings.
3. Mr.Godbole, learned counsel for the Respondent Nos.6 and 8 seeks time to advance further arguments on this issue.
4. Place the matter on board for admission on 10<sup>th</sup> February 2022.

[S. M. MODAK, J.]

[R. D. DHANUKA, J.]