

ITEM NO.31

COURT NO.13

SECTION IX

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 20573/2011

(Arising out of impugned final judgment and order dated 23-03-2011 in NOM No. 783/2011 passed by the High Court of Judicature at Bombay)

ABU SUFIYAN RAHIMULLA SHEIKH . & ORS. Petitioner(s)

VERSUS

NISHAT ARA WIDOW OF KHURSHIDALI MANSOORALI & ORS. Respondent(s)

(IA No. 130231/2024 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 10-06-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR  
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH  
(VACATION BENCH)

For Petitioner(s) Mr. Vaibhav Choudhary, AOR  
Mr. B.P. Pandey, Adv.

For Respondent(s) Mr. Devashish Bharuka, Sr. Adv.  
Mr. Chandra K. Naik, Adv.  
Ms. Sarvshree, Adv.  
Ms. Pooja Yadav, Adv.

UPON hearing the counsel, the Court made the following  
O R D E R

1 During the pendency of this Special Leave Petition, the petitioners therein seem to have come to an understanding with Respondent No. 30 and they jointly filed IA No. 130231 of 2024 praying that the Special Leave Petition may be disposed of in terms of the 'Consent Terms dated 05.06.2024' recorded by and between them.

2 However, respondents No.1 to 29 in the Special Leave Petition are not parties to the joint application in IA No. 130231 of 2024 and the "Consent Terms dated 05.06.2024". Further, we find that Respondent No. 28 is no more, as reflected in the Office Report dated 07.06.2024.

3 As it is for the petitioners to pursue this Special Leave Petition to its logical end or seek its disposal on a limited ground, we are inclined to accept the joint application filed by them along with respondent No. 30, subject to the rider that neither this order nor the 'Consent Terms dated 05.06.2024' would be binding upon Respondent Nos. 1 to 29, including the legal heirs of the deceased Respondent No. 28, in this Special Leave Petition.

4 Subject to the above, the IA and the Special Leave Petition are disposed of, holding that the petitioners and Respondent No. 30 shall be bound by the 'Consent Terms dated 05.06.2024' and they shall abide thereby scrupulously.

5 Pending applications, if any, shall also stand disposed of.

(GULSHAN KUMAR ARORA)  
AR-CUM-PS

(RENU BALA GAMBHIR)  
COURT MASTER (NSH)