

CASE NO.:
Appeal (civil) 2789 of 2008

PETITIONER:
MAHARASHTRA MITRA MANDAL AND ANR.

RESPONDENT:
MOHAN SHANKAR SHELVALE

DATE OF JUDGMENT: 11/04/2008

BENCH:
A.K.MATHUR & AFTAB ALAM

JUDGMENT:
JUDGMENT

O R D E R
(Arising out of S.L.P.(C) No.8182 of 2007)

Leave granted.

Learned counsels for both the parties submit that with the consent of their clients they have worked out a compromise formula that the order dated 16.7.1994 of the School Tribunal, Nasik in Appeal No.42 of 1993 and the order dated 6.11.1994 of the High Court in Writ Petition No.4219 of 1994 may be set aside. The respondent herein will be satisfied in case the appellant pays a sum of Rs.1,00,000/- (Rupees one lakh only) towards the full and final payment to the respondent. The appellant is agreed to pay a sum of Rs.1,00,000/- (Rupees one lakh only) in two instalments i.e. first instalment of Rs.50,000/- (Rupees fifty thousand only) to be paid by 30th April, 2008 and second instalment of Rs.50,000/- (Rupees fifty thousand only) to be paid by 31st October, 2008. On this

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payment all the litigation will come to an end and the respondent will not claim any benefit whatsoever.

In view of this agreement arrived at between the parties, the order dated 16.7.1994 of the School Tribunal, Nasik in Appeal No.42 of 1993 as well as the order dated 6.11.1994 of the High Court of Judicature at Bombay in Writ Petition No.4219 of 1994 is set aside. We direct the appellant to pay Rs.1,00,000/- to the respondent in two instalments. First instalment of Rs.50,000/- shall be paid by 30th April, 2008 and second instalment of Rs.50,000/- shall be paid by 31st October, 2008.

This appeal is accordingly, disposed of.

The agreement arrived at between both the parties may be kept on record.