

Vishal B. Thadani

B. A. (Hons.) LL.B.

ADVOCATE HIGH COURT

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- (i) By an Agreement dated nil December 1971, between M/s. Vijay Vihar Cooperative Housing Society Ltd., and Tata Memorial Centre, Department of Atomic Energy, Bombay, the M/s. Vijay Vihar Cooperative Housing Society Ltd., agreed to grant a right of way to Tata Memorial Centre for access to the building "Pankaj" purchased by them from Shri Jaysinh Narayandas Lakhpatwala, for the consideration and on the terms and conditions set out therein.
- (j) Later on, disputes and differences arose between M/s. Vijay Vihar Cooperative Housing Society Ltd., and Tata Memorial Centre, Department of Atomic Energy, Bombay and they filed a Suit in the Hon'ble High Court bearing No.1591 of 1988, which was later transferred to the Bombay City Civil Court at Bombay and renumbered as Suit No.7488 of 1988. The said Suit was finally disposed of in terms of Consent Terms filed on 14th of August, 2014 in the Hon'ble Court. By the said Consent Terms, M/s. Vijay Vihar Cooperative Housing Society Ltd., permitted M/s. Tata Memorial Centre, to lay gas pipeline etc. and provide other facilities to its property through the access road. It was also agreed that Tata Memorial Centre, Department of Atomic Energy, Bombay would grant permission to M/s. Vijay Vihar Cooperative Housing Society Ltd., to redevelop their property in future, subject to the right of passage granted to them, being safeguarded.