

Vishal B. Thadani

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

ADVOCATE HIGH COURT

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- (n) Sometime in the year 2014, disputes arose between legal heirs of Smt. Hardevi Wadhwa alias Haridevi Wadhwa, Owner of Flat No.3D/3 located on the 1st floor of M/s. Vijay Vihar Cooperative Housing Society Ltd., Sion Trombay Road, Chembur and one Mr. Surendra Nath Bhargava, who was a gratuitous licensee occupying the said Flat. Mr. Surendra Nath Bhargava illegally sold the said Flat No.3D/3 to Mr. Sanjay Bansal and Mrs. Seema Bansal, despite having no right, title or interest in the said flat.
- (o) A declaratory Suit No.2155 of 2014 was filed by Surendra Nath Bhargava in the Bombay City Civil Court against Balu Punjabi, legal heir of Smt. Hardevi Wadhwa alias Haridevi Wadhwa claiming ownership to the said Flat No.3D/3. In the meantime, one Mr. Ajay Radhey Shyam Bansal, constituted attorney of Surendra Nath Bhargava, filed a Notice of Lis Pendens on 22nd January, 2016 with the Office of the Sub-Registrar at Chembur and Nahur in respect of the Plot of the Society, although the dispute was only with regard to Flat No.3D/3 between the legal heirs of Hardevi alias Hari Devi Wadhwa and Mr. Surendra Nath Bhargava.
- (p) During the pendency of the suit, Mr. Surendra Nath Bhargava expired and his legal heirs settled all disputes with Mr. Balu Punjabi and Consent Terms were filed between the Parties. The Suit was finally disposed of by the Hon'ble Court on 26th of September 2018, in terms of the Consent Terms filed between the Parties to the Suit. In view of disposal of the