

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 472 OF 2015

Union Bank of India .. Petitioner

vs.

M/s. Forbes & Company Limited .. Respondent

Mr. Prasad Dani, Sr. Advocate i/b Nainesh N. Amin for the Petitioner.
Mr. G.S. Godbole a/w. Mr. R.J. Thakkar for the Respondent.

CORAM : M. S. SONAK, J.

DATE : 02 SEPTEMBER 2015.

P.C. :-

1] Heard learned counsel for the parties.

2] The entire dispute involved in this petition is amicably settled by the parties.

3] The petitioner-defendant has accepted the decree for termination of tenancy and mesne profits subject to the respondent-plaintiff agreeing to execute a fresh Lease Deed in favour of the petitioner effective from 1 July 2015. The petitioner has already paid a sum of Rs.11,62,60,000/- to the respondent in full and final satisfaction of the claim of mesne profits till 30 June 2015 as indicated in the letter dated 1 September 2015 written by the petitioner to respondent which is taken on record and marked 'X' for identification. The decree passed in T.E. & R. Suit No. 46/55 of 2005 is marked as fully satisfied.

4] The respondent has agreed to execute a fresh Lease Deed in favour of the petitioner on or before 30 September 2015 as indicated in the Letter of Intent dated 27 August 2015 and the reply of the respondent dated 31 August 2015 at an agreed rent of Rs.150/- per sq.ft per month subject to revision of 25% after five years exclusive of Service Tax and subject to TDS and further subject to an Exit Clause. Copies of the Letter of Intent issued by the petitioner on 27 August 2015 and reply of the respondent dated 31 August 2015 are taken on record and marked as 'Y' and 'Z' respectively for identification.

5] Writ Petition is disposed of in aforesaid terms with no order as to costs.

(M. S. SONAK, J.)

dinesh

CERTIFICATE

“I certify that this Order uploaded is a true and correct copy of original signed Order.”

Uploaded by : Dinesh S. Sherla
Personal Assistant to the
Hon'ble Mr. Justice M.S. Sonak
Uploaded on : 03/09/2015