

pursuant to order dated 17/07/2015, the petitioner has deposited Rs.50,000/- in this Court. The petitioner has no objection for respondent No.1 withdrawing that amount. He further submits that petitioner has no objection for respondent No.1 adjusting the amount lying in the savings bank account No. 20070100017512. Mr.Shinde states that these various amounts shall be adjusted against Rs.5,50,000/-. Mr.Chitnis states that within 6 weeks from today, the petitioner will pay balance outstanding amount to the respondent No.1-Bank. Upon such deposit, petitioner will withdraw the proceedings in the D.R.T-II and respondent No.1-Bank may also be directed to withdraw the Suit pending in the City Civil Court, Mumbai. Upon receipt of the entire payment, respondent No.1-Bank will hand over original title deeds to the petitioner.

3. In view of consensus reached between the parties, Petition is disposed of as not pressed in the following terms.

- i) The statement made on behalf of respondent No.1-Bank that the Bank is ready and willing to settle the entire controversy between the parties subject to petitioner paying amount of Rs.5,50,000/-, likewise, statement made on behalf of the petitioner that she is ready and willing to settle the controversy by paying Rs.5,50,000/- to respondent No.1-Bank are accepted.
- ii) As the petitioner has signified no objection for respondent No.1 withdrawing amount of Rs.1,35,375/- (Rs.1,00,000/- deposit + accrued interest Rs.35,375/-), respondent No.1-bank is permitted to withdraw the same unconditionally.

- iii) Respondent No.1-Bank is also permitted to withdraw Rs.50,000/- deposited in this Court by the petitioner unconditionally as the petitioner has no objection for withdrawing the same.
- iv) Respondent No.1-Bank is permitted to adjust the amount lying in the savings bank account No. 20070100017512 as the petitioner has no objection.
- v) The statement made on behalf of respondent No.1-Bank that these amounts will be adjusted against Rs.5,50,000/- is recorded.
- vi) The statement made on behalf of the petitioner that within 6 weeks from today, she will pay balance outstanding amount to the respondent No.1-Bank is accepted.
- vii) Upon such deposit, petitioner will withdraw the proceedings pending in D.R.T.-II. Respondent No.1-Bank will also withdraw the Suit pending in the City Civil Court, Mumbai.
- viii) Upon receipt of the entire payment, respondent No.1-Bank will hand over original title deeds to the petitioner.

4. It is clarified that in case petitioner does not pay balance amount within 6 weeks from today, respondent No.1-Bank will be at liberty to proceed with the matter in accordance with law. Order accordingly.

(R. G. KETKAR, J.)