

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL REVISION APPLICATION NO.154 OF 2013

Shri. Arvind Singh Mewar and another

.. Applicants

Versus

M/s. Nesco Ltd.

.. Respondents

Mr. Pravin Samdani, Senior Advocate i/by Mustafa Motiwala, for the Applicants.

Ms. Ferzana Behram Kamdin a/w Ms. Shivani Khanna i/by FZB & Associates, for the Respondents.

CORAM : R.M. SAVANT, J.

DATE : 7th DECEMBER, 2015

PC.

1. The Applicant Nos.1 and 2 i.e. Shri. Arvind Singh Mewar and Smt. Vijay Rajkumari Mewar are personally present in Court at 11.00 a.m. when the above Civil Revision Application was mentioned for production at 3.00 p.m. The Chairman and Managing Director Shri. S. J. Patel is also personally present in Court. However, due to their prior commitments they have sought exemption from appearing in the afternoon session. Both the Applicants and Chairman and Managing Director Shri. S. J. Patel of the Respondents state that the consent terms are acceptable to them and that they have signed them of their own free will and volition. The presence of the Applicants and the Chairman and Managing Director of the

Respondents is dispensed with.

At 3.00 p.m.

2. Not on board. Production granted on the application made at 11.00 a.m.

3. The papers in the above Civil Revision Application have been produced as the parties have resolved the dispute involved in the above Civil Revision Application relating to the tenanted premises by arriving at a settlement which is reduced in the form of consent terms which bear today's date. The consent terms have been signed by the Applicant Nos.1 and 2 i.e. Shri. Arvind Singh Mewar and Smt. Vijay Rajkumari Mewar and their advocate as also by the Chairman and Managing Director of the Respondent Shri. S. J. Patel, as also their advocate. The Learned Counsel appearing for the parties pray that the above Civil Revision Application be disposed of in terms of the consent terms. The presence of the parties has been recorded in the order which was passed in the morning session at the time of above Civil Revision Application being mentioned for production of papers at 3.00 p.m. As recorded in the said order, the consent terms are acceptable to the parties and they have signed them of their own free will and volition. The consent terms are taken on record and marked as "X" for identification.

4. The above Civil Revision Application is accordingly disposed
BGP.

of in terms of the said consent terms.

5. The payment which has to be made in terms of the clause (6) of the consent terms is being made by Ms. Ferzana Kamdin by handing over two cheques for the sum of Rs.7,29,242/- and the second for Rs.6,51,049/- to Mr. Mustafa Motiwala advocate for the Applicants who accepts them on behalf of the Applicants.

6. In terms of paragraph 9 of the consent terms, the Respondents would be entitled to withdraw the amount which is lying in deposit in the Small Causes Court. The Registry of the Small Causes Court is directed to expedite the same.

[R.M. SAVANT, J]