

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 10 OF 2015

IN

SUIT NO. 912 OF 2014

Amar Associates

... Applicant / Plaintiff

Versus

Raju M. Bhuta & Anr.

... Defendants

ALONG WITH

CHAMBER SUMMONS NO. 1208 OF 2014

IN

SUIT NO. 912 OF 2014

Mr. Chirag Balsara a/w. Mr. Nishant Sasidharan, Mr. Kalpesh Mehta, Mr. Vasim Shaikh i/b. Pravin Mehta and Mithi and Company for the Plaintiff.

Dr. Birendra Saraf a/w. Mr. A. Siralkar i/b. Rajesh Talekar for Defendant No. 1.

Mr. Farhan Dubash a/w. Ms. Swapna Rooavate, Mr. Bineet Salian i/b. Tushar Goradia for Defendant No. 2.

Mr. Harshad Bhavsar – Developer (Plaintiff) present in person.

Mr. Raju Bhuta – Defendant No. 1 a/w. Mr. Krunal Bhuta present in person.

CORAM : S.J. KATHAWALLA, J.

DATED : 4TH DECEMBER, 2015

P.C.

Heard the learned Advocates appearing for the parties and the following order is passed by consent :

(i) Applicant / Plaintiff undertakes to pay an amount of Rs.81 Lacs to the Defendant No.1 within a period of eight weeks from today. The undertaking is accepted.

(ii) The Defendant undertakes that upon receipt of the said

amount of Rs.81 Lacs, he shall simultaneously handover possession of his garage admeasuring 155 square feet to the Plaintiff and shall thereafter, have no right of whatsoever nature in the said garage. The undertaking is accepted.

(iii) Upon the Plaintiff paying an amount of Rs.81 Lacs to the Defendant No. 1 and the Defendant No. 1 handing over the garage to the Plaintiff, the parties shall have no claim against each other.

3. The Suit, Notice of Motion as well as Chamber Summons are accordingly disposed of.

4. Refund of Court Fees if any as per Rules.

(S.J.KATHAWALLA, J.)