

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

CIVIL REVISION APPLICATION NO.197 OF 2015

M/s Integrated Spaces Ltd.

.... Petitioner

versus

Smt. Dayadevi H. Agarwal

... Respondent

.....

- Mr.Lalit Jain, for the Petitioner.
- Mr.Ramanand R. Sharma, for the Respondent No.1.
- Mr.Chandraprakash Mishra, for the Respondent No.2.

CORAM : R.M.SAVANT, J.

DATE : 20th APRIL, 2017.

P.C. :

1. The learned counsel for the parties i.e. Mr.Lalit Jain appearing for the applicant, Mr.Ramanand Sharma appearing for the Respondent No.1 and Mr.Chandraprakash Mishra, appearing for the Respondent No.2 tender consent terms evidencing the settlement arrived at between the parties. The said consent terms have been signed by Mr.Jain and Mr.Sharma as also signed on behalf of the applicant by the Director Mr.Kantilal Savla and on behalf of Respondent No.1 by Mr.Virendrakumar H. Agarwal, who is the constituted attorney of Respondent No.1. The consent terms have

also been signed on behalf of the Respondent No.2 by Mr.Kantilal Savla, who is the constituted attorney of the Respondent No.2.

2. On behalf of the applicant and Respondent No.2 Kantilal Savla who is present in the Court, is identified by Mr.Jain, as being the Director of the applicant, as also the constituted attorney of the Respondent No.2. He is also identified by his driving license bearing No.MH03 20080067273 which has been issued on 18/03/2083 and valid till 23/09/2020. On behalf of Respondent No.1 Virendrakumar Agarwal is personally present in the Court. He has identified Mr.Sharma as the son and constituted attorney of the Respondent No.1, as also by his Adhar Card No.5495 4449 9872.

3. On being queried both Mr.Savla and Mr.Agarwal stated that they have read the consent terms and that they are acceptable to them. They further stated that the signatures on the consent terms are theirs and that they have signed the consent terms of their own free will and volition. The consent terms are paginated from No.1 to 96. The memo of the consent terms are paginated from No.1 to 7. Page No.8 is the map of the entire property and page No.9 is the original situation of the suit premises. On page No.10 is the plan of

the flat which would be allotted to the Respondent No.1 on re-development. At page No.11 to 50 is the alternate accommodation agreement. At page No.51 to 52 is the resolution authorizing Mr.Kantilal Savla to sign the consent terms. At page No.53 to 88 is the power of attorney in favour of said Mr.Kantilal Savla and at page No.89 to 96 is the power of attorney in favour of Mr.Virendra Agarwal executed by his mother.

4. The consent terms have also been signed and initialed on each page by Mr.Savla and Mr. Agarwal. The undertaking in para Nos.5 to 13 and 16 to 18 and declaration of page No.14 is accepted. The consent terms are marked as 'X' for identification. The Civil Revision Application is disposed of in terms of the consent terms. Mr.Chandraprakash Mishra for the Respondent No.2 undertakes to file his Vakalatnama during the course of week.

(R.M.SAVANT, J.)