

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS (L) NO.1369 OF 2017
IN
ARBITRATION PETITION NO.22 OF 2016**

Tata Capital Financial Services LimitedApplicant/Petitioner

Vs.

Himatsingka Auto Enterprises and Ors.Respondents

Mr. Karl Tamboly a/w. Mr. Tushar Kadam and Ms. Radhika Dixit i/b. MDP and Partners for petitioner.

Mr. Hari Dasan Evk, authorised representative of petitioner present.

Mr. Girish Thakur for respondents.

Mr. Rajesh Kumar Himatsingka, respondent no.2 and constituted attorney of other respondents present.

CORAM : K.R.SHRIRAM, J.

DATE : 10th NOVEMBER, 2017

PC.:

1 Parties have amicably settled the matter. The consent terms dated 9th November, 2017 signed by the authorised signatory of petitioner, respondent no.2 for himself and as constituted attorney of respondent nos.1, 3 and 4 and their respective advocates is taken on record and marked 'X' for identification.

2 The statement of Mr. Rajeshkumar Himatsingka, respondent no.2, who has signed the consent terms, that respondent no.5 was his wife, who has since expired and apart from him, respondent nos.3 and 4 are the only legal heirs and there are no other legal heirs of respondent no.5 is accepted as solemn statement to this Court.

3 Order in terms of the consent terms. All undertakings given in the consent terms are accepted and so ordered.

4 Counsel for petitioner states that if there are any charges to be paid to the Court Receiver till the Court Receiver is discharged, the charges will be paid to the Court Receiver by petitioner within two weeks of receiving a communication to that effect from the Court Receiver. Statement accepted.

5 Petition accordingly stands disposed. Chamber summons also stands disposed. Notwithstanding disposal of the chamber summons, applicant to remove all office objections and get the chamber summons numbered within two weeks from today.

(K.R. SHRIRAM, J.)