

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
FIRST APPEAL NO.114 OF 2009
WITH
MISC. CIVIL APPLICATIONS NO.450/2009, 337/2013 AND
602/2016

Ganesh Benzoplast Ltd. Appellant.
Versus
Board of Trustees of Mormugao Port Trust Respondent.

Mr. E. O. Mendes, Advocate for the Appellant.

Mr. Yogesh Nadkarni, Advocate for the Respondent.

Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.

Date : 9 July 2018.

P.C.:

The First Appeal was being adjourned from time to time to enable the parties to resolve the dispute amicably. The learned Counsel for the parties state that the parties have entered into Consent Term/Minutes of Order and have decided to refer their dispute in respect of the Lease Agreement to an Arbitrator. The learned Counsel for the parties state that the Minutes of Order have been signed by the Authorised Signatories of the Appellant and the Respondent and the learned Counsel. The Minutes of Order/Consent Terms are taken on record and marked "X".

2. We have gone through the Minutes of Order. The parties have decided to refer their dispute to an Arbitrator and also to withdraw certain proceedings. We do not find that the agreement by way of the Minutes of Order is unconscionable. Therefore, we accept the Minutes of Order and the undertakings given therein.

3. The First Appeal is, accordingly, disposed of in terms of the Minutes of Order. Decree shall, accordingly, stand modified. All pending Applications stand disposed of in view of the Minutes of Order.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.