

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7450 OF 2018

Sandeep Rajaram Singasane & Ors. Petitioners

VERSUS

Ganraj Co-op.Credit Society Ltd. & Anr. Respondents

Mr.Himanshu Kode for the Petitioners.

Mr.H.S.S.Murthy, a/w. Ms.Ruma Oke for the Respondents.

CORAM : R.D. DHANUKA, J.

DATE : 26th JULY, 2018

P.C.

Mr.Kode, learned counsel appearing for the petitioner on instruction undertakes to pay the amount due and payable by the petitioner to the respondent no.1 society as would be communicated by the respondent no.1 within 90 days from the date of such communication unconditionally. Undertaking is accepted.

2. Mr.Murthy, learned counsel for the respondent no.1 on instruction states that the respondent no.1 would communicate the amount due and payable by the petitioner to the 1st respondent inclusive of interest for a period of 90 days from the date of communication of the statement to the petitioner and would return the original of agreement dated 13th October,1988 and 22nd December,2000 to the petitioner within three days from the date of receipt of such payment. Undertaking is accepted.

3. In view of the settlement arrived at between the parties, Mr.Kode, learned counsel for the petitioner does not press this petition. Statement is accepted.

4. Writ petition is dismissed as withdrawn in view of the settlement arrived at between the parties.

5. It is made clear that in the event of the petitioner not paying the amount to the respondent no.1 as communicated within the time prescribed, the aforesaid writ petition to stand dismissed without further reference to court. The respondent no.1 in that event would be at liberty to proceed with the execution of the impugned order and the other proceedings filed against the petitioners.

6. In view of the undertaking rendered by the petitioners, the respondent no.1 has agreed not to proceed with the execution of the impugned order and the pending criminal proceedings filed by the respondent no.1 against the petitioner, if any, in any other courts of law.

7. It is made clear that if the amounts are paid by the petitioner within the time prescribed, all attachments, if any, levied shall stand withdrawn without further reference to court.

8. The parties to act on the authenticated copy of this order.

[R.D. DHANUKA, J.]