

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST) NO. 23508 OF 2018

M/s. Shreeji Sales Corporation
and anr.

.....Petitioners

V/s.
Vijaya Bank and anr.

.....Respondents

* * * * *

Mr. Girish Agarwal I/by. Mangesh Patel, Advocate for the
petitioner.

Mr. S.R. Shetty, Advocate for respondent no.1.

CORAM : K.K. TATED, &

SANDEEP K. SHINDE, JJ.

TUESDAY, 21 AUGUST, 2018.

P.C. :

1. Heard Learned Counsel for the parties.
2. After arguing for sometime, both the Counsel submit
minutes of order dated 21st August, 2018 which reads thus :-

*“1. Petitioner shall pay Rs.16,00,000/-
(Rupees Sixteen Lakh only) to settle the matter,*

respondent no.1 & 2 shall accept Rs.16,00,000/- (Rupees. Sixteen Lakh only) as full and final settlement of the matter.

2. The petitioner shall pay the aforesaid amount in following manner :

(a) Petitioner shall pay Rs.12,00,000/- (Twelve Lakh only) forthwith by way of Demand Draft of Rs.5,00,000/- (Five Lakh only) bearing Demand Draft No. 130845 drawn on DCB Bank in favour of Vijaya Bank NPA A/C No. 503206041000018 alongwith another demand draft of sum of Rs.7,00,000/- (Seven Lakhs only) bearing Demand Draft No. 130870 drawn on DCB Bank in favour of Vijaya Bank NPA A/C No. 503206041000018 to the respondent no.1.

(b). Petitioner shall pay the remaining balance of Rs.4,00,000/- (Rupees Four Lakh only) to respondent no.1.without 4 weeks from today.

3. That in view of the aforestated, it is made clear that both the parties shall have no any

past, present and future claims against each other, except the payment of the above and amount, as stated hereinabove.

4. If petitioner failed to pay the aforesaid amounts within stipulated time, the respondent no.1 shall have liberty to proceed further in the matter by taking the physical possession of the property as per the law.

5. No order as to costs.”

3. The same is taken on record and marked 'X' for identification.

4. The Advocate for the petitioner submits that, the Proprietor of the petitioner, undertake to file Affidavit-cum-Undertaking on/or before 24th August, 2018 stating that he will clear his liability as per the minutes of the order within the stipulated time failing which, he has no objection if the Bank takes the possession of the suit property. The statement is accepted.

5. The Writ Petition stands disposed off in terms of the minutes of the order.

(SANDEEP K. SHINDE, J)

(K.K. TATED, J)

Neeta
Shailesh
Sawant

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by Neeta
Shailesh Sawant
Date:
2018.08.24
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