

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

**CIVIL APPLICATION (ST.) NO.32340 OF 2017
IN
WRIT PETITION NO.5149 OF 2013
WITH
WRIT PETITION NO.5149 OF 2013**

M/s Devi Shipping Services Pvt. Ltd. ... Applicant/Petitioner
Versus
Shri Radhika Prasad Tiwari ... Respondent

.....

Mr. Jayendra S. Shah for the Applicant/Petitioner.
Mr. V.K. Lakheda for the Respondent.

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CORAM : S.C.GUPTE, J.

DATE : 18 JUNE 2018

P.C. :

. Civil Application (St.) No.32340 of 2017 :

2 This civil application is for restoration of a petition which was dismissed for default. By consent, the civil application is allowed. The order of dismissal is recalled and set aside and the petition is restored to file.

Writ Petition No.5149 of 2013 :

3 Learned Counsel for the parties tender Consent Terms duly signed by the parties and their respective Advocates. Consent terms record a settlement between the parties, whereunder the Petitioner has paid to the Respondent a sum of Rs.3.50 lacs in full and final settlement of his dues under the award. Consent terms provide for refund of Rs.2.65 lacs

deposited by the Petitioner in this Court to the Petitioner with accrued interest. Learned Counsel seek disposal of the writ petition in terms of consent terms. Consent terms are taken on record, marked 'X' for identification. Statements and undertakings contained therein are accepted. The petition is disposed of in terms of consent terms. No order as to costs.

(S.C. GUPTE, J.)