

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

**FIRST APPEAL NO. 1903 OF 2007
WITH
C.R.R. NO. 182 OF 2012**

Dinesh Manubhai Shah & Ors. ... Appellant
V/s.
Vasuben Anubhai Shah & Ors. ... Respondents

- Mr.R.D.Vora i/b. Mr.D.M.Vora for the Appellants.
- Mr.P.V. Bhagat i/b. Ms.Mallika Ingale for Respondent No.2(a).
- Ms.Merlyn Monteiro for Deepak Security Services.
- Mr.Prabhas Raut, Manager for Deepak Security Services.
- Mr.Ketan Parekh i/b. K.R. Parekh & Co. for Respondent Nos.8 to 17.
- Mr.Mehul A. Shah for Respondent Nos.20 and 21.
- Mr.D.R. Shetty, Court Receiver and Mr.K.D. Ravrane, Master (Adm.) is present.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 10th OCTOBER, 2018.

P.C. :

1] It is submitted by learned counsel for the parties that the matter is amicably settled between them. Accordingly, the 'Consent Terms' are filed. They are taken on record in the presence of the parties. The parties admitted the contents thereof. The 'Consent Terms' therefore marked as Annexure "A" for identification.

2] In view of the 'Consent Terms', the First Appeal stands disposed of.

3] Decree be drawn in terms of the 'Consent Terms'.

4] As regards the security charges, it is submitted by learned counsel Ms.Merlyn Monteiro for the Security Agency that they are ready to accept the amount of Rs.5,75,000/- as full and final settlement of their claim. Learned counsel for the Appellant submits that the Appellant will pay that amount by cheque to the Court Receiver. Statement accepted.

5] The Court Receiver to thereafter handover the said cheque to the Security Agency.

6] Learned counsel for the Appellant further submits that the Court Receiver charges will also be paid on or before 15th October, 2018. Statement accepted.

7] As per the 'Consent Terms' the formal possession of the said rooms is to be handed over by the Court Receiver to the concerned parties.

8] The Court Receiver be discharged without passing account.

9] In view of disposal of the Appeal, nothing survives in the Civil Application, hence stands disposed of.