

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO.754 OF 2013
WITH
NOTICE OF MOTION NO.2042 OF 2017**

Synergyone Infrastructure and Projects

Pvt. Ltd.

... Plaintiff

versus

The New Sion Co-op. Hsg. Soc. Ltd.

... Defendant

Mr. Bharat Vaishnawa i/by M/s. Bharat Vaishnawa and Co., for Plaintiff.

Mr. Sunil Lahoti with Mr. Anil Jarial i/by M/s. Legal Associates, for Defendant.

Mr. Vijay Thariani, Chairman, Mr. Santosh Shah, Secretary, Mr. Prem Chhatpar, Treasurer, Mr. Dinesh Nagrecha, Committee Member of the Defendant Society present.

CORAM: S.J. KATHAWALLA, J.

DATE: 27th JUNE, 2018

P.C.:

1. Heard the learned Advocates for the parties and the following order is passed by consent :

(i) Out of the amount of Rs.5 Crores deposited by the Defendant with the Prothonotary and Senior Master, an amount of Rs.4.50 Crores shall be paid to the Plaintiff and Rs.50 Lakhs shall be paid to the Defendant.

(ii) Out of the total interest received/accrued on the amount of Rs.5 Crores, the Prothonotary and Senior Master shall pay/handover an amount of Rs.75 Lakhs to the Plaintiff and the balance interest/amount shall be paid to the Defendant.

(iii) The Prothonotary and Senior Master shall comply with this order

within a period of 15 days from today.

(iv) Upon disbursement of the amount as set out hereinabove, the parties shall have no claim of whatsoever nature against each other.

(v) In view of this order, the learned Advocate for the Plaintiff seeks to withdraw the above Suit. The Suit is accordingly disposed of as withdrawn. Refund of Court Fees, if any, as per rules. Notice of Motion also stands disposed of.

(S.J.KATHAWALLA, J.)