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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
COMMERCIAL APPEAL NO.323 OF 2018  
IN  
SUMMONS FOR JUDGMENT NO. 83 OF 2017  
ALONGWITH  
NOTICE OF MOTION NO.695 OF 2018  
IN  
COMMERCIAL APPEAL NO.323 OF 2018**

Oshiwara Land Development  
Company Pvt. Ltd.

.....Appellant.  
(Original Defendant)

V/s

Crystal Center

..... Respondent  
(Original Plaintiff.)

Mr. P.K. Dhakephalkar, Senior Counsel alongwith Mr. Ayaz Bilawala, Ms. Neha Bhat and Mr. Anasamah Sayed i/b M/s Bilawala and Co. Advocates for the Appellant.

Mr. Pravin Samdani, Senior Counsel alongwith Mr. Harshil Parekh and Ms. Dhawani Bokaria i/b M/s Purnanand and Company, Advocates for the Respondent.

**CORAM: B. R. GAVAI &  
RIYAZ I. CHAGLA, JJ.**

**DATE: 13<sup>th</sup> December, 2018**

**P.C.:-**

1] For the reasons separately recorded, Appeal is dismissed.

Needless to state that the amount deposited by the Appellant in this

Court is permitted to be withdrawn by the Respondent/Decree Holder, as part satisfaction of the decree.

**2]** Since the Appeal is dismissed, nothing survives in the Notice of Motion taken out therein and the same is also disposed of.

**(RIYAZ I. CHAGLA J.)**

**(B. R. GAVAI, J.)**