

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**902 ARBITRATION APPEAL NO. 3 OF 2011 WITH
CIVIL APPLICATION NO. 1351 OF 2011**

**WITH
ARBITRATION APPEAL NO.7 OF 2011**

**FAIZPUR MUNICIPAL COUNCIL FAIZPUR THROUGH CHIEF
OFFICER
VERSUS
M. B. ANGADI**

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Advocate for the Appellant : Shri R. S. Deshmukh h/f.
Shri N. R. Dayama

Advocate for the Respondent : Shri G. K. Naik Thigle

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 26th JUNE, 2019.

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PER COURT :

1. By the consent of the parties, Arbitration Appeal No. 7/2011, which is not on board, but connected with Arbitration Appeal No. 3/2011, is called for and the matter is taken on board.

2. The learned Advocates for the respective sides submit that the mediation has been successful in this matter.

3. I find that the learned mediator has placed on record the compromise terms duly signed by the parties in his presence as well as the copy of the Special Meeting Resolution bearing No. 36 passed on 15/06/2019 by the Nagar Parishad, Faijpur, District Jalgaon.

4. It is jointly submitted that as the mediation has been successful, these Appeals can be disposed off in terms of the compromise.

5. In view of the above, these Appeals are disposed off in accordance with the compromise terms.

6. It is undisputed by the parties that the Appellant/Faijpur, Municipal Council would be entitled for the refund of the court fees which were deposited by the Municipal Council to the extent of Rs. 1,50,000/-.

7. The learned Advocate for the Appellant graciously submits, on instructions, that an amount of Rs. 25,000/- can be transmitted by the Registry of this Court for the social cause to "Shantivan", Arvi, Tq. Shirur Kasar, District Beed, having Account No. 33446000963 with the State Bank of India, Shirur Kasar Branch, IFSC Code : SBIN0005995, by way of charity.

The Registry is, therefore, ordered accordingly.

8. The learned Advocate Shri Thigle appearing on behalf of the respondent submits, on instructions taken from his client present in the Court, that the respondent would also donate an amount of Rs. 25,000/- for the said purpose. He submits that as Appellant has deposited Rs. 1 (One) Crore in this Court on 14/12/2018, the Registry of this Court can take Rs. 25,000/- and transfer it to "Shantivan", Arvi, Tq. Shirur Kasar, Dist. Beed, having Account No. 33446000963 with the State Bank of India, Shirur Kasar Branch, IFSC Code : SBIN0005995, in the name of "Bhavani Vidhyarthi Kalyan Pratishthan, Arvi" by way of charity. Hence ordered accordingly.

9. The goodwill gesture of the Appellant as well as the respondent is appreciated by the Court.

10. Pending Civil Application does not survive and stands disposed off.

(RAVINDRA V. GHUGE, J.)

shp/-