

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.26 OF 2019
IN
WRIT PETITION NO.11964 OF 2018

...

Mrs. Smruti N. Shah & Anr.
V/S

....Petitioners

The Union of India & Anr.

....Respondents

...

Mr. Siddharth Samantaray I/b Mr. Akash S. Acharya for the
Applicants/Petitioners.

Mr. Rafeeq Peermohiden with Mr. Vinod Kothari I/b M/s. Apex Law Partners
for Respondent No.2/Bank.

**CORAM : A.A. SAYED &
RIYAZ I. CHAGLA, JJ.**

DATE : 11 JANUARY 2019

ORDER:

1 The Civil Application is taken out in disposed of Writ Petition seeking
following relief:

“a) This Hon'ble Court be pleased to issue the necessary
directions to Respondent No.2 to forthwith withdraw the
complaint filed u/s 138 of the N.I. Act against Petitioner No.1 as
recorded and produce an authenticated copy of the said
withdrawal order before this Hon'ble court.”

2 Learned Counsel for Respondent Bank has tendered copy of the
order dated 10 January 2019 of the Judicial Magistrate, Gurugram, which
shows that the Complaint is withdrawn.

3 Learned Counsel for the Applicants/Petitioners has handed over today two Demand Drafts aggregating to Rs.7,00,428/- to the learned Counsel for the Respondent Bank in Court.

4 We accept the statement of the learned Counsel for the Respondent Bank that the Respondent Bank shall now abide by and comply with clauses 2 and 4 of the Consent Terms dated 30 October 2018 within two weeks from today.

5 The Civil Application to stand disposed of.

(RIYAZ I. CHAGLA, J.)

(A.A. SAYED, J.)

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