

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
First Appeal No.94/2019

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Ms. Pooja Joshi I/b. A. M. Saraogi for the Appellant

Mr. Pratap B. Kapadia for the Respondent

CORAM : K.K.TATED, J.

DATED : JUNE 24, 2019

P.C.

1 Heard. Both the counsel submit that the matter is settled out of court. They tendered Consent Terms dated 24.06.2019. Both the counsel submit that the signatories of the Consent Terms are present in court. They entered into witness box and admit the contents of the Consent Terms. The Consent Terms are taken on record and marked "X" for identification, which read thus:

"1. The parties do hereby agree and confirm having settled all their disputes and differences being the subject matter of the present First Appeal and do hereby withdraw all the allegations made against each other.

2. The Appellant do hereby agree and confirm that they have deposited an amount of Rs.7,15,000/- with the office of this Hon'ble Court on 14.02.2018 and

20.02.2018.

3. Now, it has been agreed between the parties that out of the said amounts, a sum of Rs.3,00,000/- shall be paid to the Respondent directly by the department as and by way of full and final settlement of the decree under challenge and subject to payment thereof, the Respondent shall not have any claim of whatsoever nature against the company of the Appellant hereinabove.

4. It has also been agreed between the parties that balance of the amounts including the interest, if any, accrued on the amounts deposited by the Appellant shall be paid by the department directly to the Appellant No.3 hereinabove and accordingly, appropriate orders be passed.

5 In view of the aforesaid settlement, present First Appeal deserves to be disposed off in terms of the consent terms with no order as to costs."

2 The First Appeal stand disposed of in terms of the Consent Terms.

3 The Consent Terms are to be treated as part and parcel of the decree.

4 Refund of court fees as per the Rules.

5 No order as to costs.

(K.K.TATED, J.)