

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
FIRST APPEAL NO. 686 OF 2016

M/s.Hemal Builders,

Through its sole Proprietor - Mr.K.P.Gala ... Appellant

Versus

Mr.Arumogham Thankappan Nadar ... Respondent

ALONG WITH  
CIVIL APPLICATION NO. 1638 OF 2016  
AND  
CIVIL APPLICATION NO. 3893 OF 2018  
IN  
FIRST APPEAL NO. 686 OF 2016

Mr.Rafiq Dada, Sr. Adv. i/b. Mr. Sagar Joshi for the Appellant.  
Ms.Neeta Karnik for the Respondent.

**CORAM : AKIL KURESHI &**  
**S.J. KATHAWALLA, JJ.**  
**DATE : 15TH JULY, 2019**

P.C.:

1. Affidavits of Mrs.Jagruiti Nainesh Sheth, Mrs.Jyoti Dipen Shah, Ms.Hemal Jayendra Gala, Mr.Chandrakant Nagji Chheda and Mr.Bipin Shah filed by the Advocates for the parties are taken on record.
2. The learned Advocates appearing for the parties have tendered Consent Terms dated 15<sup>th</sup> July, 2019. They submit that the Consent Terms be taken on record

and the above Appeal and Applications be disposed off in terms of the Consent Terms. The Consent Terms are taken on record and marked 'X' for identification. The Consent Terms are signed by the Proprietor of the Appellant (original Defendant) and the Respondent (original Plaintiff). The Consent Terms are also signed by the Advocates for the parties. The above Appeal and Applications are disposed off in terms of the Consent Terms marked 'X'.

( S.J.KATHAWALLA, J. )

( AKIL KURESHI, J.)