

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**CHAMBER SUMMONS NO. 251 OF 2017
WITH
EXECUTION APPLICATION (L) NO. 233 OF 2017**

Kantilal M. Patel & Anr.	...	Applicants/Orig. Claimants
Versus		
Rakesh Agarwal & Ors.	...	Respondents
And		
HDFC Bank Ltd.	...	Respondent

Ms. Anita Catelino a/w Ms. Alisha R. Lambay i/b Lambay & Co. for the Applicant.

Mr. Chirag Sarawagi a/w Ms. Vivien V. Tulzapurkar i/b Tushar Goradia for Respondent Nos.1, 2, 3 and 5.

CORAM : R.I. CHAGLA, J.

DATED : 18th OCTOBER, 2019.

P.C. :

1 Upon production taken on board.

2 The parties were present in the morning and this Court has discharged their presence.

3 The Applicants and Respondent Nos.1, 2 and 5 have entered into consent terms which have been executed by them on 18.10.2019. The consent terms have also been signed by the Advocates for the

Applicants as well as the Respondents. The undertakings contained in the consent terms are treated as undertakings to this Court and are accepted. The consent terms are taken on record and marked 'X' for identification.

4 The Chamber Summons and Execution Application are accordingly disposed of subject to the Respondent Nos.1 and 2 complying with the terms of the consent terms dated 12.01.2009 or the modified consent terms dated 18.10.2019 and in the event that Respondent Nos.1 and 2 fail to comply with the said consent terms, liberty is granted to the Applicants to proceed with the Execution Application.

(R.I. CHAGLA, J.)