

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.33 OF 2018

IN

EXECUTION APPLICATION NO.100 OF 2018

Vipul Shantilal Gala

...Applicant/Orig.Claimant

In the matter between

Vipul Shantilal Gala

...Original Claimant

Versus

Allied Construction Co. And Suresh P Baid ...Respondent

WITH

CHAMBER SUMMONS NO. 1 OF 2019

IN

EXECUTION APPLICATION NO. 101 OF 2018

WITH

CHAMBER SUMMONS NO. 7 OF 2019

IN

NOTICE NO. 169 OF 2018

WITH

CHAMBER SUMMONS NO. 11 OF 2019

IN

EXECUTION APPLICATION NO. 101 OF 2018

WITH

CHAMBER SUMMONS NO. 304 OF 2019

IN

EXECUTION APPLICATION NO. 101 OF 2018

WITH

CHAMBER ORDER NO. 511 OF 2019

IN

CHAMBER SUMMONS (L) NO. 1579 OF 2018

Mr.M.P. Vora with Ms.Ketki Prajapati i/b. Pramod Kumar & Co., for Applicant.

Mr.Vivek Patil with Hafiz Patanwala i/b. Vivek Patil and Associates, for Respondents.

Mr.Sandesh Shukla i/b. Sachin Hande, for the Intervenors in Chs 304/19, 1/19, 7/19 and CHSl 1579/18.

CORAM : G.S. KULKARNI, J.

DATE : 14 January 2020

PC.:

1. Learned Counsel for the parties have tendered consent minutes of the order dated 14 January 2020 stating that the respondent-judgment debtor has complied with his obligation in respect of Gala No.C-01A and Unit No.C-402 in execution of the consent terms dated 21 March 2017 in Arbitration Petition no.1134 of 2015 in the manner as agreed between the parties. The signatories to the consent minutes of the order are identified by their respective Advocates. They are also stated to be present in the Court. There is no dispute in regard to the signatures made on behalf of the parties on the consent minutes of the order. They are also signed by the Advocates for the respective parties.
2. Chamber Summons no.33 of 2018 is accordingly disposed of in terms of the consent minutes of the order. The consent minutes of the order is marked "X" for identification.
3. Both the execution applications are required to be kept pending so as to await the compliance of the terms and conditions as set out in the Consent minutes of the order on the part of the judgment debtor.
4. Liberty to apply in case of any default.
5. The undertakings between the parties shall continue to operate in view of the payments which are expected by the applicant from the judgment debtor.
6. Mr.Vora, learned Counsel for the applicant makes statement that his client would not take any steps in respect of the property, in view of the minutes of the order as tendered.

[G.S. KULKARNI, J.]

corrected as per speaking to minutes of order dated 27.01.2020.