

Meera
M.
Jadhav

Digitally
signed by
Meera M.
Jadhav
Date:
2021.01.18
18:28:22
+0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 723 OF 2014
ALONGWITH
ARBITRATION PETITION NO.953 OF 2014**

Atlanta Limited
(formerly known as Atlanta Infrastructure Ltd.)Petitioner

V/s.

Vaikuntam Realty Pvt Ltd.Respondent

Ms. Aparna Devkar i/b M P Vashi Associates for Petitioner in ARBP/723/2014 and for Respondent in ARBP/953/2014;
Mr. Sean Wassoodew for Respondent in ARBP/723/2014 and for Petition in ARBP/953/2014.

[Mr. Dipesh Gogri- Chief Financial Officer/Authorized Signatory for Petitioner;

Ms. Pooja Bbarot, Director for Respondent].

**CORAM : K.R.SHRIRAM, J.
DATED : 18th JANUARY 2021**

PC. :

1 Parties have entered into consent terms dated 18th January 2021. Consent terms signed by the authorised signatory of Petitioner – Atlanta Ltd. and the Director of Respondent – Vaikuntam Realty Pvt Ltd. and their respective advocates is taken on record and marked “X” for identification. Mr. Wassodew and Ms Devkar state that the respective signatories are present online and identify them.

2 For ease of reference, consent terms is scanned and reproduced hereinbelow:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 723 OF 2014

Atlanta Limited	... Petitioner / Original Respondent
Versus	
Vaikuntam Realty Private Limited	... Respondent / Original Claimant



ALONGWITH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 953 OF 2014

Vaikuntam Realty Private Limited	... Petitioner / Original Claimant
Versus	
Atlanta Limited	... Respondent / Original Respondent

Date: 18th January, 2021

Coram: Mr. Justice K. R. Shriram

CONSENT TERMS

1. The parties have taken accounts and it is found that Vaikuntam Realty Private Limited is liable to pay Rs.8,12,92,294/- (Rupees Eight Crore Twelve Lakh Ninety Two Thousand Two Hundred Ninety-Four only) to Atlanta Limited. Accordingly, Vaikuntam Realty Private Limited agrees and undertakes to pay Rs.8,12,92,294/- (Rupees Eight Crore

1

Handwritten: JEAN WASS MOORE
Signature: (Authorized Signatory)
ATLANTA LTD

Handwritten: Jeewanot
(Authorized Signatory)
Vaikuntam Realty Pvt. Ltd.



2

Twelve Lakh Ninety Two Thousand Two Hundred Ninety-Four only] to Atlanta Limited within a period of six months from the date of filing of the present Consent terms.

2. Upon receiving the above payment, Atlanta Limited, through its authorised signatory agrees and declares that it shall have no claim against Vaikuntam Realty Private Limited, arising out of the agreement dated 4th April, 2012 and Award dated 14th December, 2013.

3. Vaikuntam Realty Private Limited agrees and undertakes that the settlement amount of Rs.8,12,92,294/- (Rupees Eight Crore Twelve Lakh Ninety Two Thousand Two Hundred Ninety Four only) accepted by Atlanta Limited is in full and final settlement and to the satisfaction of all its claims. Vaikuntam Realty Private Limited undertakes and confirms that it has no claim pending against Atlanta Limited.

4. The present consent terms have been signed by Mr. Dipesh Gogri-Chief Financial Officer, who is authorised by Atlanta Limited under a Board Resolution dated 13th January, 2021. On behalf of Vaikuntam Realty Private Limited, consent terms have been signed by Mrs. Pooja Bharat- Director, who has been authorised by Vaikuntam Realty Private Limited by Board Resolution dated 15th January, 2021. Both the signatories are duly authorised to sign and accept the present consent terms.

SEAN WATSON
ATLANTA LTD

Dipesh
(Authorised signatory)
ATLANTA LTD

-2-

Pooja Bharat
(Authorised signatory)
Vaikuntam Realty Pvt. Ltd.



3

5. In view of the above, the Arbitration Petition Nos. 309 of 2014 and 723 of 2014 stand disposed off.

6. No order as to cost.

Mr. Dipesh Gogri
Authorised Signatory
(Vide Board Resolution dated 13.01.2021)

Advocate for Atlanta Limited
(Ms. M/S P. I. Vasli & Associates)



Mrs. Pooja Bharat
Authorised Signatory
(Vide Board Resolution dated 15.01.2021)

VAIKUNTAM REALTY PRIVATE LIMITED
G-1, 1st Floor, B-2204, Anandnagar Building,
V.H.I Road, Opp. Jalsa Building, 14th Floor, 14th
Mumbai - 400 042

Advocate for Vaikuntam Realty Private Limited

BEFORE ME

RAMESH CHANDRA TIWARI
ADVOCATE & NOTARY
GOVT. OF INDIA
Res. 129, A-Wing, Apollo City Hsg. Soc.
New Park, Landmark: A. K. Road,
- Andheri (E), Mumbai-400 059

Sr. No.
484/2021





ATLANTA LIMITED

An ISO 9001:2015 Company

504, Samarpan, New Link Road, Chakala, Near Mirador Hotel,
Andheri (East), Mumbai - 400 098, INDIA
Phone: (91) 22 29322715 (4 Lines)
E-Mail: info@atlantainfra.com Website: www.atlantainfra.com
CIN: L56200MH1964PLC031852

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED IN THE MEETING OF THE MANAGEMENT COMMITTEE OF BOARD OF DIRECTORS OF ATLANTA LIMITED HELD ON WEDNESDAY, JANUARY 13, 2021 AT ITS REGISTERED OFFICE

AUTHORITY TO MR. DIPESH GOGRI

"RESOLVED THAT Mr. Dipesh Gogri, Chief Financial Officer of the Company, be and is hereby authorised to sign the consent terms in the matter of Atlanta Limited Versus Valluamam Realty Private Limited before the Hon'ble High Court of Judicature at Bombay, Ordinary Civil Jurisdiction in the Arbitration Petition No.725 of 2014 and Arbitration Petition No.953 of 2014 and do any other deeds, acts and correspondence as may be required on behalf of the Company;

RESOLVED FURTHER THAT the Directors and Company Secretary of the Company be and are hereby severally authorised to furnish a certified true copy of the resolution in the requisite authorities for their information and record."

CERTIFIED TRUE COPY

For Atlanta Limited


Rajhoo Bhatnagar
Chairman
DIN: 00038219

Place: Mumbai
Date: January 13, 2021

Construction : Realty : Infrastructure Concessions : Mining



Vaikuntam Realty Private Limited

Aardhara, B-22A, V.M. Road, Vileparle-West, Mumbai- 400 049.
CIN NO. U45200MH2004PTC146627

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED IN THE MEETING OF THE BOARD OF DIRECTORS OF VAIKUNTAM REALTY PRIVATE LIMITED HELD ON FRIDAY, JANUARY 15, 2021 AT ITS REGISTERED OFFICE

AUTHORITY TO MRS. POOJA REKIIN BHARDT

RESOLVED THAT Mrs. Pooja Rekiin Bhardi, Director of the Company, be and is hereby authorised to sign the consent terms in the Arbitration Petition No.953 of 2014 in the matter of Vaikuntam Realty Private Limited Versus Atlanta Limited before the Honble High Court of Judicature at Bombay, alongwith the Arbitration Petition No.723 of 2014 of Atlanta Versus Vaikuntam Realty Private Limited and do any other deeds, acts and correspondence as may be required on behalf of the Company;

RESOLVED FURTHER THAT the Directors of the Company be and are hereby severally authorised to furnish a certified true copy of the resolution to the requisite authorities for their information and records.

CERTIFIED TRUE COPY

For Vaikuntam Realty Private Limited

P. Bhardi
Pooja Rekiin Bhardi
Director
DIN: 05191912

Place: Mumbai
Date: January 15, 2021

- 3 All statements accepted as an undertaking and all undertakings are also accepted.
- 4 Both the petitions accordingly stand disposed.
- 5 Refund of court fees in accordance with rules.
- 6 All to act on authenticated copy of this order.

(K.R.SHRIRAM, J)