

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.604 OF 2021
IN
APPEAL NO.900 OF 2005
IN
WRIT PETITION NO.506 OF 2002**

Geeta Suresh Kachalia and Ors.	...	Applicants
and		
M/s. Shakti Insulated Wires Ltd. and Anr.	...	Appellants
<i>Versus</i>		
Suresh Narbharam Kachalia	...	Respondent

**WITH
NOTICE OF MOTION NO.1131 OF 2011
IN
APPEAL NO.900 OF 2005
IN
WRIT PETITION NO.506 OF 2002**

Mr. Sagar Divekar with Mr. Abhimanyu Mhapankar, for Applicants/Org. Respondent in Appeal.
Mr. T.R.Yadav with Mr. Jay Vora i/by Mr. V.P.Vaidya, for Appellants.
Mrs. Dimple Kachalia, Respondent No.1B is present in Court.

**CORAM: S.J. KATHAWALLA &
MILIND N. JADHAV, JJ.**

DATE: 21st SEPTEMBER, 2021

P.C.:

1. By an order dated 6th April, 2010 the above Appeal was disposed of by the Division Bench of this Court (Coram : D.K.Deshmukh & V.R.Kingaonkar, JJ., as they then were). Later, the parties by consent, wanted certain changes in the said order. In view thereof, the parties took out Notice of Motion No.1131 of 2011 in the

disposed of Appeal No.99 of 2005 seeking various reliefs. In the meantime, on 19th December, 2020 , the Respondent – Suresh N. Kachalia passed away. His wife and daughter have taken out the above Interim Application to be impleaded as party Respondents in the above Appeal as well as in the Notice of Motion. In view thereof, delay is condoned and the Interim Application is allowed. Amendments to the extent of impleading the wife and daughter of the deceased Suresh N. Kachalia as party Respondents to the above Appeal as well as Notice of Motion be forthwith carried out.

2. The parties have now tendered Consent Terms dated 30th August, 2021 and have requested the Court to dispose of the Notice of Motion in terms of the Consent Terms. Shri Chitrang Suresh Kachalia, son of the deceased Respondent – Suresh N. Kachalia, is in USA. He has addressed a letter to his mother and sister stating that he has no objection to the filing of the Consent Terms and settling the matter. The said letter is taken on record and marked ‘X’ for identification. The Consent Terms are also taken on record and marked ‘X-1’ for identification. The Consent Terms are signed by Mrs. Freny Jhaveri, as Executive Director of the Appellant. The Resolution passed in her favour by the Appellant Company is also annexed to the Consent Terms. The Consent Terms are also signed by Mrs. Geeta Suresh Kachalia – Respondent No.1B, Ms. Dimple Suresh Kachalia – Respondent No.1B and the learned Advocates for the parties. The Notice of Motion is disposed of in terms of the Consent Terms, marked ‘X-1’.

3. The documents which are in the custody of the Prothonotary and Senior Master of this Court shall be forthwith handed over to the Advocate for the Applicants in IA No.604 of 2021.

(MILIND N. JADHAV, J.)

(S.J.KATHAWALLA, J.)