

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL SUMMARY SUIT NO. 31 OF 2010**

Bakhtawar Construction Company Pvt. Ltd.

& Ors.

.. Plaintiffs

Vs.

United Breweries Ltd. & Anr.

.... Defendants

Ms.Mahalakshmi Ganapathy a/w. Mr. Ayush Khandelwal i/b ALMT
Legal for plaintiffs.

Ms. Samridhi Londha i/b Kanga and Co. for defendants.

Mr.Mahesh Joshi, Manager Finance, Authorised Representative of
defendants.

CORAM : N.J. JAMADAR, J.

DATE : 20th JANUARY 2021

(THROUGH VIDEO CONFERENCE)

P.C.

1. Heard the learned counsels for the parties.
2. The plaintiffs and the defendants have amicably settled the dispute.
3. The parties have tendered the consent terms. The plaintiff Nos.2 to 8 and Mr.Mahesh Joshi, Manager Finance and Authorised Representative of defendant No.1, with whom defendant No.2 has merged, appeared before the Court through video conference.
4. The parties admit the contents of the consent terms and their signatures thereon. The consent terms are signed by the counsels for the plaintiffs and the defendants. The consent terms are taken on

record and marked 'X' for identification.

5. The consent terms, *inter-alia*, provide that the suit shall stand decreed for the sum of Rs.3,23,00,000/-, which has already been deposited by the defendant No.1 pursuant to the order dated 29-04-2015 passed in Appeal (O.S.) No. 405 of 2015 together with interest accrued thereon. The parties have further agreed that 25% of the gross interest accrued on the aforesaid principal amount shall be paid to the plaintiffs and the balance 75% shall be paid to the defendant No.1. In paragraph 4(a) and (b), the parties have agreed for the distribution of the principal amount and the interest component in the specified proportion.

6. The undertakings in the consent terms are accepted as undertakings to the Court.

7. In the light of the settlement recorded, the suit stands disposed of in accordance with the consent terms ('X'). A decree be drawn in accordance with the consent terms ('X').

8. The Prothonotary and Senior Master shall make the payments to the respective parties in accordance with the consent terms.

9. The suit stands disposed of.

Refund of Court fees, if any, be made as per rules.

[N.J. JAMADAR, J.]