

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION SUIT

NO.275 of 2020

Faranaz Kawami alias Farah Kawami	)	
An adult, citizen of Hong Kong	)	
Having her residence at	)	
Coastal Skyline, Block 3, Flat 12D,	)	
Tungchung Nt, HongKong SAR	)	
Also having her residence at	)	
Flat No.402, 4 th Floor, Diago-D	)	
Next to Rizvi College	)	
Shirley Rajan Road, Off Carter Road	)	
Mumbai-400050	)	Plaintiffs

VERSUS

- | | | | |
|----|--|---|--|
| 1. | Shaikh Zafar Raes Alam |) | |
| | An adult Indian Inhabitant residing at |) | |
| | Room No.9/10, 2 nd Floor, Hamza Building |) | |
| | 6 th Khumbharwada Kharwa |) | |
| | Cross Lane, Mumbai-400004 |) | |
| 2. | Munveruddin Agakevami |) | |
| | An adult Indian Inhabitant residing at |) | |
| | 4 th Floor, Diago-D, Next to Rizvi College, |) | |
| | Shirley Rajan Road,Bandra (West), |) | |

- | | | |
|---|---|------------|
| Mumbai-400050 |) | |
| 3. Sayed Allaudin Kawami |) | |
| An adult Indian Inhabitant residing at |) | |
| Flat No.402,4 th Floor, Diago-D, |) | |
| Next to Rizvi College |) | |
| Shirley Rajan Road, Off Carter Road |) | |
| Mumbai-400050 |) | |
| 4. Ms.Farzeen Shaikh |) | |
| An adult Indian Inhabitant residing at |) | |
| Flat No.1, Ground Floor, Stella Maris |) | |
| Building, Off Turner Road, Gurunanak |) | |
| Park, Bandra (West), Mumbai-400050 |) | |
| 5. Mr.Husain Shah |) | |
| An adult Indian Inhabitant residing at |) | |
| Flat No.401,4 th Floor, Diago-D, |) | |
| Next to Rizvi College |) | |
| Shirley Rajan Road, Off Carter Road |) | |
| Mumbai-400050 |) | |
| 6. Narendra Lachchu Canser |) | |
| An adult Indian Inhabitant having his |) | |
| Address at Shop No.2, Shanti Niketan |) | |
| Building, 5/13, Vivekanand Co-Housing |) | |
| Society, T.H.Kataria Marg, |) | |
| Mumbai-400016 |) | Defendants |

Consent Terms between Plaintiff and Defendant

Nos.2

1. The Defendant No.2 has agreed and undertake to get the Suit Shop i.e. Shop No.8 vacated from Defendant No.1 and handover the same to the Plaintiff.
2. Defendant No.2 also agrees to handover the possession of the Suit Shop to the Plaintiff on or before 30/09/2022. Defendant No.2 has taken responsibility to take possession from Defendant No.1 and hand it over to Plaintiff.
3. Defendant No.2 agree and admit that he had also executed Consent Terms dated 03/08/2021 in Suit (L) No.200 of 2020 in respect of Residential Flat No.402. Under the said Consent Terms dated 03/08/2021 in Suit (L) No.200 of 2020, Plaintiff has agreed to give to this Defendant No.2 i.e. Munveruddin Agakevami sum of Rs.1,60,00,000/- on or before 30/10/2022 subject to sale of said Flat No.402, however the said payment of Rs.1,60,00,000/- will be paid by the Plaintiff to this Defendant No.1 subject to this Defendant handing over vacant and peaceful possession of Suit Shop No.8,

admeasuring 500 sq.ft., to the Plaintiff i.e. Faranaz Kawami alias Farah Kawami on or before 30th September 2022.

4. Defendant No.2 agrees and admit that Plaintiff will alone have exclusive right to run the business from the Suit Shop and no other party will interfere with her possession or object to her carrying out the business/es.
5. The Plaintiff will alone do the business from the Suit Shop and or let out the same to the 3rd party and will give the share of income to the other party in following ratio. The parties agree that the tenancy rights in the Suit Shop is also possessed by them in following ratio

Sr.No.	Name	Percentage
i.	Farnaz Kavami alias Farah Kavami	15%
ii.	Farzeen Shah (Shaikh)	12.5%
iii.	Hussain Shah (ii and iii both of them jointly owned 25% share)	12.5%
iv.	Sayed Allaudin Kawami	30%

v.	Munveruddin Agakevami	30%
TOTAL		100%

6. Suit to stand decreed as per Consent Terms.
7. Parties to bear their own cost.
8. Refund of Court fees as per Rule.

Advocate for Plaintiff

Plaintiff

Advocate for Defendant No.2

Defendant No.2

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BOMBAY ORDINARY ORIGINAL CIVIL

JURISDICTION SUIT NO.275 of 2020

Faranaz Kawami alias Farah Kawami

Plaintiffs

VERSUS

Shaikh Zafar Raes Alam & Ors

Defendants

CONSENT TERMS

Dated This

day of

2021