

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO. 608 OF 2022
WITH
INTERIM APPLICATION NO. 3712 OF 2022
IN
APPEAL FROM ORDER NO. 608 OF 2022**

Rakesh Amritlal Malhotra Appellant
v/s.

The National Sports Club of India
and anr. Respondents

Mr. Karl Tamboly i/b. Jacob Kadantot for the Appellant.
Mr. Ankit Lohia a/w. Ajay Basutkar for the Respondents.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 13th DECEMBER, 2022.

P. C. :-

. The Appellant herein has challenged the dismissal of Notice of Motion No.1624/2022 filed in Short Cause Suit No.1079/2022.

2. In the course of hearing, learned counsel for the Appellant states that the parties have arrived at an amicable settlement and that the Appellant is ready to pay an amount of Rs.13,18,088/- within two weeks from the date of this order and that he will withdraw the suit before 13/01/2023. Learned counsel for the Respondent states that in the event the money is deposited, the membership of the Appellant shall stand restored. It is further stated that no further action will be

taken against the Appellant in terms of show cause notice dated 25/02/2022 and expulsion order dated 01/04/2022 and that the said notice and impugned order shall not serve as an embargo to contest the ensuing elections in the year 2023. Statements made on behalf of the respective parties are accepted as undertaking to the Court.

3. Learned counsel for the Appellant states that he will file an Application before The Central Council Committee of the Respondent No.1 for restoring his membership in the executive committee. The Central Council Committee shall consider the issues raised in the Application as well as the maintainability of the Application and decide the same on its own merits.

4. Appeal stands disposed of in above terms. Pending Applications, if any, stand disposed of in view of disposal of the Appeal from Order.

PREETI
H JAYANI

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(SMT. ANUJA PRABHUDESSAI, J.)