

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.924 OF 2016
IN
APPEAL FROM ORDER (STAMP) NO.16184 OF 2016

Damji L. Shah & Anr.] ... Applicants

Vs.

Tejraj G. Dowani & Anr.] ... Respondents

...

Mr. Pradeep Sancheti, senior counsel for the applicants.

Mr. Tejas D. Deshmukh for respondent Nos.1 and 2.

...

CORAM : SMT. BHARATI DANGRE, J.

DATED : 06TH MAY, 2022.

P.C. :-

1. The long term dispute pending since 1992 in the form of Bombay City Civil Court S.C. Suit No.109148 of 1992 deserves a disposal in the light of the consent terms arrived at between the parties.

2. The consent terms inked on 06/05/2022 and signed by the appellants and the respondents and their respective advocates put to rest the controversy in the partnership firm between the retiring partners and the continuing partners. Respondent No.2 – Vinod Gowani is present in the court, who has been identified by his counsel. The consent terms are taken on record and marked ‘X’ for identification.

3. The consent terms contained the terms of settlement between the appellants and the respondents, who have finally worked out the dispute, pertaining to the partnership firm of M/s. Giriraj Corporation and the terms of settlement are set out in paragraph Nos.1 to 4.

4. It is agreed between the parties that pursuant to the consent terms, the parties withdraw all their statements, allegations, complaints, whether civil or criminal, correspondence and proceedings addressed/initiated by them in relation to the subject matter and not to raise any claims in future. They seek disposal of the appeal and the suit, in the wake of the consent terms.

5. It is also agreed that the appellants shall file a copy of the consent terms and a copy of the order passed by this court before the Bombay City Civil Court and a request will be made to dispose off the suit.

6. In the wake of the settlement between the parties, the appeal deserves a disposal. The parties are at liberty to seek disposal of the suit pending before the Bombay City Civil Court by filing a copy of the consent terms and a copy of this order.

7. In the wake of the consent terms, the appeal and the civil application are disposed off.

[SMT. BHARATI DANGRE, J.]