

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO. 538 OF 2021

Brihan Mumbai Mahanagar Palika
Through Bombay Electric Supply and
Transport Corporation

.Appellant

Vs.

Asgar Ali Nabi Ahamad Khan & ors.

.Respondents

Mr. Hemal i/b. M/s. Navdeep Vora & Associates, Advocate, for the
Appellant

Mr. Manoj N. Sonawane, Advocate, for the Respondent No. 2

**CORAM : ABHAY AHUJA, J.
(HEAD OF THE PANEL)**

**V.V. PATIL, REGISTRAR
(INSPECTION-I), MEMBER**

**R.V. WANWADI, DEPUTY REGISTRAR
(INSPECTION-I), MEMBER**

DATE : 12.03.2022

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. Mentioned. Not on board. Taken on board.

2. Learned counsel for the Respondent No. 2 tenders
across Vakalatnama which is taken on record. Learned
counsel for the parties tender the Consent Terms dated
12.03.2022 which are taken on record and marked as "X"

for identification. They are signed by the parties and their counsel. The parties who are present before the Court admit the correctness of the contents thereof. The parties are identified by their counsel. In view of the above settlement arrived at between the parties, the delay in filing the First Appeal is hereby condoned.

3. The M.A.C.T., Mumbai is directed to pay an amount of Rs. 10,39,870/- to the Respondent No. 2. The remaining amount lying with the M.A.C.T., Mumbai shall be refunded to the Appellant alongwith accrued interest. The statutory deposit, alongwith interest if any, shall be made over to the Tribunal which shall pass appropriate orders for payment thereof. Refund of Court fees as per Rules.

4. The Judgment and Award dated 03.08.2019 is accordingly modified.

5. The Appeal is disposed of in view of the Consent Terms, with no order as to costs. Pending Civil Applications accordingly stand disposed.

(R.V. WANWADI)

(V.V. PATIL)

(ABHAY AHUJA, J.)