

Arjun

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

**SECOND APPEAL NO.174 OF 2022
WITH
INTERIM APPLICATION NO.1918 OF 2022
IN
SECOND APPEAL NO.174 OF 2022
WITH
INTERIM APPLICATION NO.1254 OF 2022
IN
SECOND APPEAL NO.174 OF 2022**

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Wadhwa Group Holdings Pvt. Ltd. ...Appellant

Versus

Mrs. Bharti Arvind Modi & Ors. ...Respondents

Mr. Abir Patel a/w Lavina Bhargava i/b M/s. Wadia Ghandy & Co.,
for the Appellant.

Ms. Jyoti Sinha a/w Mr. Devangshu Nath, Ms. Niyathi kalra i/b
Khaitan & Co., for Respondent Nos. 1 to 7.

**CORAM : MADHAV J. JAMDAR, J.
DATE : 13th DECEMBER, 2022**

P.C.:

1. Learned counsel appearing for the Appellant and for
contesting Respondent Nos. 1 to 7 tender 'Consent Terms'
executed by Mr. Manohar Chhabria-authorized Director of
the Appellant-Company and Respondent Nos. 1 to 7 who are
personally present in the Court.

- 2.** The Consent Terms are taken on record and marked 'X' for identification.
- 3.** Mr. Manohar Chhabria-Director of the company as well as Respondent Nos. 1 to 7 who are personally present in the Court confirmed that the dispute between them has been settled and the 'Consent Terms' are as per agreement between them. Undertakings recorded in the 'Consent Terms' are accepted.
- 4.** The Respondent Nos. 1 to 7 today in the Court have handed over to the Appellant the Demand Draft of amount which is referred in clause no. (h) of paragraph 14 of the 'Consent Terms'.
- 5.** Both the learned counsel states that, the agreement referred in clause (d) of paragraph No. 14 will be executed and registered during the course of the day.
- 6.** Learned counsel appearing for the Appellant states that, possession of the premises in question will be handed over to the Respondent Nos. 1 to 7 on or before 15th December, 2022.
- 7.** Mr. Manohar Chhabria - Director of the Company who is present in the Court undertakes that the possession will be

handed over to the Respondent Nos. 1 to 7 on or before 15th December, 2022. The said undertaking is accepted.

8. The Second Appeal is disposed of in terms of the 'Consent Terms' and in above terms with no order as to costs.

9. In view of the disposal of the Second Appeal, nothing survives in the Interim Applications and the same are also disposed of.

(MADHAV J. JAMDAR, J.)