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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 365 OF 2021
WITH
INTERIM APPLICATION NO. 3109 OF 2021
IN
APPEAL FROM ORDER NO. 365 OF 2021

M/s. Shreeraj Developers LLP

.. Appellant

Versus

Radhavi Tiwari and Ors.

.. Respondents

.....

- Mr. Amogh Singh i/by Jeet Gandhi, Advocate for the Appellant.
- Mr. Omkarnath R. Tiwari, Advocate for Respondent.
- Ms. Radhavi Tiwari and Geeta Tiwari, Respondent Nos.1 and 2 present.

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CORAM : MILIND N. JADHAV, J.

DATE : JULY 19, 2022

P.C.:

1. Appellant (original Plaintiff) and Respondents (original Defendants) have tendered Consent Terms dated 19.07.2022 having amicably settled the dispute which is the subject matter of Suit being Civil Suit No.1422 of 2021 filed in the City Civil Court at Dindoshi.

2. Mr. Singh instructed by Mr. Gandhi Advocate on behalf of the Appellant states that the Consent Terms have been executed by authorised representative of the Appellant. Mr. Singh undertakes to submit a duly endorsed copy of the Aadhar Card of the executor on behalf of the Appellant by tomorrow. The same shall be placed in the file of the Court with the original Consent Terms. The Consent Terms

are duly signed by Appellants, Respondent Nos.1 and 2 and their respective Advocates which is taken on record and marked “X” for identification. Undertakings given in the Consent Terms are accepted as undertaking to the Court.

3. Mr. Tiwari, learned counsel appearing for the Respondents (original Defendants) submits that in terms of clause vii (a), the Respondents have agreed to apply for cancellation of the original agreement and for refund of stamp duty, GST, TDS, if any. If any such Application is made by the Respondents to the concerned/appropriate authority, the same shall be decided in accordance with law. The Appellant shall extend cooperation to the Respondents, if so required.

4. In view of the above directions and the Consent Terms, Civil Suit No.1422 of 2021 stands disposed of on the record of the file of the trial Court.

5. Appeal from Order No.365 of 2021 and Interim Application No.3109 of 2021 stands disposed of.

[MILIND N. JADHAV, J.]

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