

Vinita

**IN THE HIGH COURT OF BOMBAY AT GOA
APPLICATION FOR APPOINTMENT OF ARBITRATOR**

NO.9 OF 2022

FEELS LIKE FRIDAY PVT. LTD., THR. IS
AUTH. SIGNATORY SWAPNIL DESAI ... Applicant.
VS
J W HERITAGE, WILLIAM DSOUZA THR.
POA LYDIA DSOUZA ...Respondent

Mr. V. Rodrigues and Mr. S. Malik, Advocates for the Applicant.
Mr. A. Monteiro, Advocate for Respondent.

CORAM: B. P. COLABAWALLA, J
DATED: 24th JANUARY 2023

P.C.

1. Taken out of turn.
2. The above Arbitration Application is filed under Section 11 of the Arbitration and Conciliation Act, 1996 seeking constitution of the Arbitral Tribunal to decide the disputes that have arisen between the Applicant and the Respondent arising out of the leave and licence agreement dated 13th December 2020(Exh. A) to the application.
3. It is not in dispute before me that the premises in question belong to the Respondent and that they have been vacated by the Applicant. The possession of the said premises has also been resumed by the Respondent on 1st June 2021.

4. When the matter is called out, the parties have informed me that they have settled their disputes on the following terms:-

- a. The Respondent shall pay to the Applicant a sum of Rs1,25,000/- (Rupees one lakh twenty-five thousand only) in full and final settlement on or before 7th February 2023.
- b. Once the aforesaid payment of Rs.1,25,000/- (Rupees one lakh twenty-five thousand only) is paid within the stipulated period, neither party shall have any claim against each other, arising out of the leave and licence agreement dated 13th December 2020.
- c. In the event the amount of Rs.1,25,000/- (Rupees one lakh twenty-five thousand only) is not paid on or before 7th February 2023, then the Applicant shall be at liberty to have the above Section 11 Application revived and restored to file.

5. The above Section 11 Application is disposed of in the aforesaid terms. However, there shall be no order as to costs.

6. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on the production by fax or email of a digitally signed copy of this order.

B. P. COLABAWALLA, J.