

Santosh

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

**INTERIM APPLICATION NO. 19172 OF 2022
IN
APPEAL FROM ORDER NO. 719 OF 2014**

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KULKARNI

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Money Magnum Constructions ...Applicant
Versus
Dhanesh Gulab Kotwani and ors. ...Respondents

Mr. Hrushi Narvekar, a/w Archana Giri, for the Applicant –
Money Magnum Constructions.
Ms. Ketki Gadkari, for the Respondent in IA/19172/2022/
Ori. Appellant.
Mr. Dhanesh Kotwani, Respondent No.1 present.

CORAM: N. J. JAMADAR, J.
DATED : 31st JULY, 2023

PC:-

1. Heard the learned Counsel for the parties.
2. The learned Counsel for the parties submit that after the orders dated 3rd December, 2014 and 19th September, 2017, the parties have amicably resolved the dispute and Special Civil Suit No.707 of 2013 has been withdrawn. However, the restraint orders passed by this Court operate. The parties have now agreed that one of the flat in the project namely Flat No.3002 Elite Solitaire, 'A' Wing, Building No.14, Everest World Layout, Kolshet Road, Balkum, Thane (West) be released.

3. The learned Counsel seek leave to tender the Consent Terms.

Leave granted.

Consent Terms are taken on record and marked "X".

4. Mr. Ajay Prajapati, the authorized signatory of the applicant/original respondent No.3 Money Magnum Constructions and Mr. Dhanesh Kotwani – appellant No.1 and authorized representative of appellant Nos.2 and 3 are present. They admit the contents of the Consent Terms ("X") and execution thereof. They are identified by their respective Advocates.

5. In accordance with the Consent Terms ("X"), the application stands disposed.

6. The restraining orders dated 3rd December, 2014 and 18th September, 2017 accordingly stand vacated qua aforescribed Flat No.3002.

[N. J. JAMADAR, J.]