

Dusane

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.768 OF 2019
WITH
INTERIM APPLICATION NO.2817 OF 2019**

Asset Auto (I) Pvt. Ltd. ...Appellant

V/s.

Oberoï Construction Limited ...Respondent

Ms. Priyanka Kothari a/w Ms. Sayali Gharpure i/by
S. Mahomedbhai & Co. for Appellant/Applicant.

Mr. Abir Patel a/w Lavina Bhargave i/by M/s Wadia
Ghandy & Co. for Respondents.

**CORAM: MADHAV J. JAMDAR, J.
DATE: 2nd FEBRUARY, 2023**

P.C.:

1. The learned Single Judge of this Court by order dated 17th October 2022 appointed Justice Akil Kureshi, Retired Chief Justice of Rajasthan High Court as Mediator to mediate the dispute between the Appellant and the Respondent.

2. On 2nd December 2022, this Court recorded that both the parties have settled the dispute and therefore, direction was issued that an amount of Rs.90,05,272/- which was deposited before Maharashtra Real Estate Appellate Tribunal, Mumbai be allowed to be withdrawn by the Appellant.

3. Mediation report dated 30th January 2023 is submitted by Justice Akil Kureshi, Retired Chief Justice of High Courts of Rajasthan and Tripura alongwith the Consent Terms signed by the Appellant and the Respondent. The Mediation Report is taken on record and marked 'X' for identification. The Consent Terms enclosed to the Mediation Report is also taken on record and marked 'X1' for identification.

4. The Second Appeal is disposed of in terms of the Consent Terms.

5. This Court puts on record appreciation of the efforts taken by the Mediator, Justice Akil Kureshi, retired Chief Justice of High Courts of Rajasthan and Tripura.

6. In view of disposal of the Second Appeal, nothing survives in the Interim Application and the same is also disposed of.

BHALCHANDRA
GOPAL
DUSANE

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Date: 2023.02.03
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(MADHAV J. JAMDAR, J.)