

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL EXECUTION APPLICATION NO. 625 OF 2018

IN

SUMMONS FOR JUDGMENT NO. 86 OF 2015

IN

SUMMARY SUIT NO. 55 OF 2015

Swiss International Airlines Limited

...Plaintiff/
Decree Holder

Versus

M/s. Dharamnath Investments & Ors.

...Defendants/
Judgment Debtor

WITH

INTERIM APPLICATION NO. 964 OF 2020

Mr. Anshul Anjarlekar i/by Raval Shah & Co. for the Plaintiff.

Mr. Shivchand Mishra i/by Narayanan & Narayanan for the
Defendant Nos. 1, 2 and 3.

CORAM : R.I. CHAGLA J

DATE : 4 May 2023

ORDER :

1. The Plaintiff and Defendants have entered into the
Consent Terms in the Commercial Execution Application No. 625 of

2018 bearing today's date which are tendered and taken on record and marked 'X' for identification. These are signed by the Plaintiff and Defendant Nos. 1 to 3 and their respective Advocates.

2. Learned Counsel appearing for the Defendants has handed over Demand Draft bearing No. 776096 dated 27 April 2023 and Demand Draft bearing No. 776102 dated 4 May 2023, both drawn on Citi Bank for the sum of Rs. 2,45,70,000 /- (Rupees Two Crores Forty Five Lakh Seventy Thousand Only) in favour of the Plaintiff. The Plaintiff is now in receipt of the Demand Drafts. The photocopy of the Demand Drafts have been annexed at Annexures 1 and 2 to the Consent Terms. This payment is in full and final settlement of the decree and accordingly, the decree stands satisfied.

3. The Commercial Execution Application No. 625 of 2018 is disposed of, as withdrawn.

4. Interim Applications, if any, do not survive and disposed of accordingly.

5. A soft copy of the Consent Terms will be uploaded as the

second order in the matter.

6. The Registry is to ensure that the hard copy of the signed Consent Terms is permanently retained on file as part of the record and is not sent for destruction in the ordinary course.

[R.I. CHAGLA J.]