

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

**CONTEMPT PETITION NO.133 OF 2019
IN
SUMMONS FOR JUDGMENT NO.93 OF 2018**

Samiksha Saket Mehra and Anr. v/s. Omkar Ventures Pvt. Ltd. dent	.. Petitioners/Plaintiffs .. Respon-
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**CONTEMPT PETITION NO.134 OF 2019
IN
SUMMONS FOR JUDGMENT NO.92 OF 2018**

Netaraj Sanjay Mehra & Ors. v/s. Omkar Ventures Pvt. Ltd. dent	.. Petitioners/Plaintiffs .. Respon-
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**CONTEMPT PETITION NO.135 OF 2019
IN
SUMMONS FOR JUDGMENT NO.94 OF 2018**

Manisha Sanjeev Mehra & Anr. v/s. Omkar Ventures Pvt. Ltd.	.. Petitioners/Plaintiffs .. Respondent
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Mr.Vivek Kantawala a/w Shanay Bafna i/b. M/s. Vivek Kantawala & Co. for the petitioner.

Mr. Jamsheed Master a/w Harish Reshamwala i/b. Diamondwala & Co. for the respondents.

Mr. Shahid Raza- authorized representative of the defendant

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CORAM : KAMAL KHATA, J.

DATED : 22ND JUNE 2023.

P.C. :

1. Both counsel have agreed to leave it to the Court to decide the amounts to be paid by the Defendant to the Plaintiff.
2. Having considered the matter, I am of the opinion that the balance interest amount in the sum of Rs.27,74,362/- which was calculated @ 12% would not be payable by the defendants.
3. With a view to settle matter having heard both counsel and having understood the difficulties currently faced by the Defendants, as a lump sum payment, an amount of Rs.19,50,000/- per suit would be payable by the defendants to the plaintiffs. The sum of Rs.9,25,000/- per matter would be paid within ten days from today. The same shall be transferred by NEFT or RTGS for which the account details shall be provided by the plaintiffs to the defendants.
4. The balance sum of Rs.10,25,000/- per matter shall be paid

in installments within eight months time i.e. on or before 15th March 2024 and further amounts i.e. over and above the installments may be paid by bullet payments as per the convenience of the Defendants. The Plaintiff may offer such incentive as he may deem fit and proper for an early recovery of the amounts.

5. Mr. Shahid Raza, representative of the defendant, who is authorized to take decision, is present in court. Learned counsel for the defendant submits that this would be an undertaking to the court, failing which there would be an imprisonment term that would be decided by this court on application by the plaintiff since the Defendant has admittedly breached the earlier consent terms which contempt was purged by this court on account of payment of the principal amount which is agreed to by the counsel, on instructions of the defendant. Upon such breach by the Defendant the discount by way of lump sum payment also shall stand withdrawn and the defendant shall be liable to pay Rs.27,74,362/- or the balance after deducting the payments so made pursuant to this order.

6. Both parties agreed that these amounts are towards full and

final settlement of all their claims and no execution proceedings shall be initiated as contemplated under the consent terms.

7. Contempt Petitions shall stand disposed in the above said terms.

(KAMAL KHATA, J.)