

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

**(902) NOTICE OF MOTION (L) NO. 2018 OF 2014  
IN  
APPEAL NO. 471 OF 2016  
WITH  
NOTICE OF MOTION NO. 1879 OF 2016  
IN  
NOTICE OF MOTION (L) NO. 2018 OF 2014**

|                     |               |
|---------------------|---------------|
| Gaurang Vinod Doshi | ...Applicant  |
| Versus              |               |
| Vinay A. Choksi     | ...Respondent |

**AND  
(903) APPEAL NO. 268 OF 2016  
IN  
ARBITRATION PETITION NO. 846 OF 2010**

|                     |               |
|---------------------|---------------|
| Vinay A. Choksi     | ...Appellant  |
| Versus              |               |
| Gaurang Vinod Doshi | ...Respondent |

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Mr. Reshant Shah i/b. Lex counsellor for appellant in APP/471/2016 and for Respondent No.2 in APP/268/2016

MS. Mamta A. Shah for respondent no.1 in app/471/2016 and for appellant in APP/268/2016 Mr. D. S. Choudhari, Deputy Sheriff present.

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**CORAM: K.R. SHRIRAM &  
RAJESH S. PATIL, JJ**

**DATED: 13<sup>th</sup> April, 2023**

**PC:-**

1. Ms. Shah appearing for respondent no.1 in Appeal No. 471 of 2016 and for appellant in Appeal No. 268 of 2016 states that parties have amicably settled the matter.
2. Mr. Reshan Shah undertakes to file Vakalatnama by 15<sup>th</sup> April 2023.
3. Both Mr. Reshan Shah & Ms. Mamta Shah seek leave of the court to withdraw their respective appeals. Both Appeals dismissed as withdrawn.
4. Consequently, Notice of Motion, if any, are also dismissed as withdrawn.
5. Ms. Shah states that within one week from today, she shall withdraw the execution application No. 207 of 2009. Ms. Shah also states that the order of attachment of the Flat No. 31 situated at Vikas Vaibhav Co-operative Housing Society Limited, 3<sup>rd</sup> Floor, 31 Peddar Road, Mumbai-400 016 passed on 23<sup>rd</sup> June 2009 in Execution Application No. 207 of 2009 be also consequently vacated.
6. Ms. Shah states that Mr. Vinay Choksi will pay the poundage to

Sheriff of Mumbai of 1% of Rs.1,01,50,000/- (Rs. 44,50,000/- + Rs. 57,00,000/-) within two working days of this order being uploaded by way of pay order drawn in favour of Sheriff of Mumbai. Statement accepted as an undertaking to this Court. It is made clear that the order lifting the attachment will be effective only upon payment of this amount to the Sheriff of Mumbai.

7. In view of the above, Mr. Shah on instructions from the constituted attorney of Mr. Gaurang Doshi, one Mr. Anand Bansal, who is present in court and is identified by Mr. Shah states that the title deeds of Vinay Choksi's residential premises deposited with the Prothonotary and Senior Master, High Court of Bombay, at the time of withdrawing the amount of Rs. 57,00,000/- can be returned to Mr. Vinay Choksi.

8. Prothonotary and Senior Master to return the title deeds.

9. All to act on authenticated copy of this order. Refund of court fees, if any, in accordance with rules.

(RAJESH S. PATIL,J.)

(K.R. SHRIRAM,J.)