

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

**INTERIM APPLICATION NO. 7018 OF 2024  
IN  
SECOND APPEAL NO.439 OF 2023**

|                                       |                        |
|---------------------------------------|------------------------|
| <b>Sanjay Kabra</b>                   | <b>....Applicant</b>   |
| <b>IN THE MATTER BETWEEN</b>          |                        |
| <b>M/s. MIG (Bandra) Realtors and</b> |                        |
| <b>Builders Pvt. Ltd.</b>             | <b>....Appellant</b>   |
| <b>V/S</b>                            |                        |
| <b>Sanjay Kabra &amp; Anr.</b>        | <b>....Respondents</b> |

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**Mr. Prathamesh Kamat** a/w Mr. Shreni Shetty and Ms. Vinita Melvin i/b M/s. ANB Legal *for the Applicant/Respondent No.1.*

**Mr. Virag Tulzapurkar, Senior Advocate,** Mr. Jai Chhabria, Mr. Yehaan Shah, Ms. Rujuta Patil, Mr. Hasan Mushabber *for Appellant.*

**Mr. S.M. Seegarla** i/b M/s. RMG Law Associates *for Respondent No.2.*

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**CORAM: SANDEEP V. MARNE, J.  
DATE : 26 MARCH 2024.**

**P.C.:**

1 This Interim Application is filed seeking clarification of the order dated 8 February 2024.

2 After arguing the Interim Application for sometime, Mr. Kamat, the learned counsel appearing for the Applicant and Mr. Tulzapurkar, the learned

Senior Advocate appearing for the original Appellant submit that the parties have agreed on the following course of action:

- i) The Applicant would pay to the original Appellant amount towards stamp duty, registration fees, agent and other charges by 28 March 2024 as set out in email at Exhibit-H to the Interim Application,
- ii) Immediately upon receipt of the aforementioned amounts, the original Appellant would execute the agreement with the Applicant and register the same before the concerned Sub-Registrar of Assurances on 28 March 2024,
- iii) The Applicant shall pay the entire amount of Rs.1,32,01,534/- reflected in the demand letter dated 1 September 2022 as set out at page No.60 of the Interim Application to the original Appellant on or before 8 April 2024.

3 Since the parties have agreed to the above course of action, nothing survives in the Interim Application and the same is accordingly disposed of.

**(SANDEEP V. MARNE, J.)**

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signed by  
SUDARSHAN  
RAJALINGAM  
KATKAM  
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