

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7293 OF 2023

Jinnifer N. Sanjana & Anr.

.. Petitioners

Versus

Naveed Siddiqui & Anr.

.. Respondents

.....

- Mr. Aurup Dasgupta a/w Ms. Sonak Ghiya & Ms. Drshika Hemnani
i/by Jhangiani, Narula & Associates for Petitioner
- Mr. Arun Panickar for Respondent No. 1

.....

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 08, 2024

P. C.:

1. Mentioned out of turn at the time of urgent mentioning.
2. Heard Mr. Dasgupta, learned Advocate for Petitioner and Mr. Panickar, learned Advocate for Respondent No. 1.
3. Parties have filed Minutes of Order dated 08.04.2024 which are signed by learned Advocates appearing for Petitioner as well as Respondent No. 1. I have perused the Minutes of Order and on reading the same, it is seen that there can be no impediment in taking the said Minutes of Order on record for disposal of the present Writ Petition. Minutes of Order is running into five pages. They are taken on record and marked “X” for identification. For the purpose of reference and convenience, they are scanned and reproduced below:

Tendered in Court 17/4/2024

①

"X"

~~Ms. Sanjana~~

8/4/2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7293 OF 2023

1) Jennifer N. Sanjana,)
of Mumbai, Indian Inhabitant,)
residing at E 8 Cusrow Baug,)
SBI Road,)
Colaba, Mumbai - 400 039.)

2)

2) Serge Suri,)
of Mumbai, Indian Inhabitant,)
residing at E 8 Cusrow Baug,)
SBI Road, Colaba, Mumbai -)
400 039,)Petitioners
(Orig. Defendant Nos.
2 & 3)

Versus

1) Naveed Siddiqui,)
of Mumbai Indian Inhabitant,)
having his office at, 1470/1471)
Sun Estate, General Arun Kumar)
Vaidya Marg, Mumbai - 400)
016,)Respondent
No. 1 (Orig. Plaintiff)

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- 2) Keystone Realtors Pvt. Ltd.,)
 a Company incorporated under)
 the Companies Act 1956, having)
 its office at, 702 Natraj M.V.)
 Road Junction, Western Express)
 Highway, Andheri (East))
 Mumbai – 400 069.)
-Respondent
 No. 2(Orig. Defendant
 No. 3)

Date: 8th April 2024

Coram: The Hon'ble Mr. Justice Milind
 N Jhadav

CONSENT MINUTES OF ORDER

1. The Petitioners without admitting any liability on their part solely with a view to avoid and put an end to protracted litigation have agreed to amicably put an end to the pending disputes with the Respondent No. 1 by making payment of Rs. 15,00,000/- (Rupees Fifteen Lakhs Only) to the Respondent No. 1 in full and final settlement of all claims of the Respondent No. 1 including in relation to Commercial Suit No. 154 of 2019, that is pending before the Hon'ble Bombay City Civil Court at Bombay, despite the Petitioners suffering losses on account of the actions of Respondent No. 1. The Petitioners agree and confirm that the Petitioners shall not pursue any claims that they may have against the



Respondent No. 1, in relation to losses suffered by the Petitioners.

2. The Petitioners have simultaneously with the execution of the present minutes have handed over a Demand Draft for an amount of Rs. 15,00,000/- (Rupees Fifteen Lakhs Only) drawn on HDFC Bank dated 4th April 2024 in favour of the Respondent No. 1, the receipt of which the Respondent No. 1 duly admits.
3. In view of receipt of the amount of Rs. 15,00,000/- (Rupees Fifteen Lakhs Only) the Respondent No. 1 agrees that he has no claims against the Petitioner of any nature whatsoever and the receipt of Rs. 15,00,000/- (Rupees Fifteen Lakhs Only) from the Petitioners satisfies all claims of the Petitioner including with regard to Commercial Suit No. 154 of 2019, that is pending before the Hon'ble Bombay City Civil Court at Bombay. The Respondent No. 1 agrees and confirms that he shall in view of receipt of the amount of Rs. 15,00,000/- (Rupees Fifteen Lakhs Only) not pursue any actions/complaints civil and/or criminal against the Petitioners including but not limited to the claims Commercial Suit No. 154 of 2019, that is pending before the Hon'ble Bombay City Civil Court.

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4. The Respondent No. 1 agrees and undertakes to withdraw Commercial Suit No. 154 of 2019, that is pending before the Hon'ble Bombay City Civil Court forthwith or in any event on the next date of hearing i.e., 1st July 2024.
5. The Parties agree and confirm to withdraw all allegations made against one another.
6. It is agreed that a copy of these minutes shall be placed on record before the Hon'ble Bombay City Civil Court.
7. The Petition is disposed off in terms of these minutes with no order as to costs.


Advocates for the Petitioner


Advocate for the Respondent No. 1

4. Terms and obligations stated in the Minutes of Order have already been complied with and both the learned Advocates have agreed to the same. The obligations and undertaking recorded in the Minutes of Order are accepted as undertaking given to this Court and the parties shall abide by the same.

5. Order in terms of the consent Minutes of Order.

6. In view of the above, Writ Petition is disposed.

Amberkar

[MILIND N. JADHAV, J.]

RAVINDRA
MOHAN
AMBERKAR
Digitally signed
by RAVINDRA
MOHAN
AMBERKAR
Date:
2024.04.08
18:10:03 +0530