

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

COMMERCIAL EXECUTION APPLICATION NO. 1 OF 2024

ECOPARK DEVELOPERS LLP)...APPLICANT

V/s.

AJAY JOGINDERNATH MEHRA AND OTHERS)...RESPONDENTS

WITH

INTERIM APPLICATION (L) NO. 26333 OF 2023

AND

INTERIM APPLICATION (L) NO. 8898 OF 2024

IN

COMMERCIAL EXECUTION APPLICATION NO. 1 OF 2024

Mr.Parag Kabadi a/w. Ms.Anshita Sethi i/by DSK Legal, Advocate for the Applicant.

Ms.Gyanika Kochar i/by YNA Legal, Advocate for the Respondents No.1 to 5.

CORAM : ABHAY AHUJA, J.

DATE : 29th JULY 2024

P.C. :

1. Both the learned Counsel submit that the matter has been settled pursuant to Consent Terms dated 25th June 2024 filed in Commercial Arbitration Petition No. 38 of 2024 on 27th June 2024 in terms of the order passed by the Court (Coram : Arif S. Doctor, J.) and that, since payment has been received, the Execution Application be allowed to be withdrawn by the Applicant. That, consequently, the attachment of the

subject property would not survive and the same be lifted allowing the Respondents to freely deal with the said property being piece and parcel of land admeasuring 4853.3 sq.mtrs. situate, lying and being at LBS Marg, Vikhroli West, bearing CTS No.83 corresponding to Survey No.44/1 (Part) of Village Vikroli, District Mumbai Suburban together with structures standing thereon including the structure comprising of ground plus 2 floors (the “said property”).

2. Having heard the learned Counsel, the following order is passed :

ORDER

- (i) The Execution Application stands disposed as withdrawn and the connected Interim Applications also to accordingly stand disposed.
- (ii) Consequently, the attachment on the said property stands lifted and the warrant of attachment cancelled.

(ABHAY AHUJA, J.)