

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

**INTERIM APPLICATION NO.10336 OF 2025
IN
FIRST APPEAL NO.913 OF 2024**

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Damani Shipping Pvt. Ltd. ...Applicant

In the matter between:-

Sarda Energy & Minerals Ltd. ...Appellant

V/s.

Damani Shipping Pvt. Ltd. ...Respondent

Mr.Ashwin S. Tripathi a/w Ms.Pooja Pandey:-	Advocates for Appellant and for Respondent.
Mr.Anant B. Shinde:-	Advocate for Applicant.

CORAM : S. M. MODAK, J.

DATE : 7th OCTOBER 2025

P. C. :-

1. Heard learned Advocate for both the sides.
2. As submitted on 9th September 2025, both the parties have settled the dispute through the Mediation successfully conducted by the learned Advocate Ms.Meghana R. Patil. She has submitted a report dated 6th October 2025 along with the '*consent terms*'. It is taken on record and marked Annexure-X. The '*consent terms*' are signed by both the parties and by their respective Advocates. Learned Advocates

vouched the execution by the respective parties. The Respondent agrees to withdraw the Execution Application in view of this settlement.

3. The decree is for amount of Rs.3,97,886.69 (Rupees Three Lakh Ninety Seven Thousand Eight Hundred Eighty Six and Sixty Nine Paisa) passed by the Court of City Civil on 23rd November 2022 along with the interest of 9% on the principal amount from the date of filing of suit till the realization. The Appellant has already deposited an amount of Rs.8,22,000/- (Rupees Eight Lakh Twenty Two Thousand) in the Office on 14th August 2024. As per the settlement, they have agreed for following arrangement:-

- (a) An amount of Rs.5,50,000/- (Rupees Five Lakh Fifty Thousand) will be paid to the Plaintiff-Respondent by way of full and final settlement.
- (b) The remaining amount along with the accrued interest, the Appellant is entitled to withdraw.

4. In view of that, **the Appeal stands disposed of**. In view of the '**consent terms**'. Hence the following order:-

ORDER

- (a) The Respondent is permitted to withdraw an amount of Rs.5,50,000/- (Rupees Five Lakh Fifty Thousand) from the Office subject to Rules.

- (b) Office to return the remaining amount along with interest to the Appellant.
 - (f) The efforts taken by the learned Mediator is appreciated. The Deputy Registrar–Main Mediation Centre–High Court Bombay to do the needful.
5. **Pending Interim Applications, if any, are also disposed of.**

[S. M. MODAK, J.]