

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

WRIT PETITION NO.8526 OF 2024

M/s. Shubh Enterprises

....Petitioner

V/S

Hemali Vrajendra Thakkar & Ors.

....Respondents

Ms.Preeti Walimbe with Ms. Padmashree and Ms. Vaishnavi
Nagargoje *for the Petitioner.*

Ms.Surabhi Agrawal *for Respondents.*

CORAM: SANDEEP V. MARNE, J.

DATE : 06 FEBRUARY 2025.

P.C.:

1. The learned counsel appearing for parties jointly submit that the parties have agreed to mutually settle the disputes upon the Petitioner paying amount of Rs.44,33,055/- towards full and final settlement of all claims of Respondent Nos.1 and 2 against the Petitioner. Petitioner has filed an undertaking dated 5 February 2025 agreeing to pay amount of Rs.44,33,055/- to Respondent Nos.1 and 2 as per the timeline indicated in paragraph 5 of the Undertaking. The Undertaking is taken on record and marked 'X' for identification. The learned counsel appearing for Respondent Nos.1 and 2, on taking instructions from her clients makes a statement that the arrangement of

payment of amount of Rs.44,33,055/- as per the timeline indicated in paragraph 5 of the Undertaking is acceptable to her clients.

2. Since parties have amicably resolved the disputes amongst them, nothing would survive to be adjudicated in the present Petition.

3. The order dated 22 November 2019 passed by the State Commission shall accordingly stand modified and all claims of Respondent Nos.1 and 2 *qua* Petitioner are now restricted to Rs.44,33,055/-. Needless to observe that if the Petitioner commits even a single default in observing the timeline for payment of the amounts as indicated in paragraph 5 of the Undertaking, the order dated 22 November 2019 passed by the State Commission shall revive and shall be executable.

4. With the above arrangement, the Writ Petition is **disposed of.**

(SANDEEP V. MARNE, J.)

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