

Pdp

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

**COMMERCIAL FIRST APPEAL (ST.) NO. 12374 OF 2024
WITH
INTERIM APPLICATION NO. 12449 OF 2024
WITH
INTERIM APPLICATION NO. 15474 OF 2024**

M/s. Kaiser Industries Ltd. .. Appellant

Versus

M/s. PNR Impex .. Respondent

Mr. Rohit Joshi a/w Harshad Shingnapurkar for appellant.

Mr. Jitendra Jayantilal Surana, Authorized representative of the respondent is present in Court.

**CORAM: ALOK ARADHE, CJ. &
M. S. KARNIK, J.**

DATE: 16th APRIL, 2025

P.C.:

IA NO. 12449 OF 2024:

- 1.** Heard on Interim Application No. 12449 of 2024.
- 2.** For the reasons assigned in the application, duly supported by an affidavit, delay in filing the appeal is condoned.
- 3.** Interim Application is allowed accordingly.

COMFA(ST) No. 12374/2024 & IA/15474/2024:

- 4.** This appeal under Section 13(1-A) of the Commercial Courts Act, 2015 has been filed against the impugned

Judgment dated 31st March, 2022 by which Suit filed by the respondent for seeking a recovery of a sum of Rs.42,76,240/- along with interest at the rate of 18% p.a. has been decreed.

5. Learned counsel for the appellant and Mr. Jitendra Jayantilal Surana, Authorized representative of the respondent are present before us. The learned counsel for the appellant identified Mr. Jitendra Jayantilal Surana as authorized representative of the respondent. Learned counsel for the appellant and Mr. Jitendra Jayantilal Surana, Authorized representative of the respondent jointly submit that the disputes between the parties have been amicably settled. The Consent Terms have been produced before us, which are duly signed by the parties. The aforesaid Consent Terms are taken on record and marked "X" for identification. A Demand Draft for a sum of Rs.12,00,000/- (Rupees Twelve Lakh only) has been handed over to Mr. Jitendra Jayantilal Surana, Authorized representative of the respondent, who has acknowledged the receipt of the same.

6. The appeal is disposed of in terms of the Consent Terms arrived at between the parties.

7. Pending interim application(s), if any, stands disposed of.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)