

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

**SUIT NO.105 OF 2024
WITH
INTERIM APPLICATION NO.1197 OF 2024
IN
SUIT NO.105 OF 2024**

Link Tower CHS. Ltd.Plaintiff/Applicant
Versus
Girishchandra Purshottamdas Sadh & Ors.Respondents

Mr. Yash Momaya *a/w. Kinjal Kakkad i/b. Vipul Shukla, for Plaintiff.*

Ms. Dixita Gupte, *Advocate for Defendant No. 19 (through VC).*

Mr. H. Thanu Subramanian, *Chairman of Plaintiff.*

Mr. Heman Vichare, *Secretary of Plaintiff.*

Mr. Dharmarajan Krishnan, *Treasurer of Plaintiff.*

Mr. Kalpesh Joshi, *Chaiman of Defendant No.19.*

Mr. Santosh Tawade, *Secretary of Defendant No.19.*

Mr. Kiran Jawle, *Treasurer of Defendant No.19.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : DECEMBER 15, 2025

ORDER :

1. Learned Advocates for the Plaintiff and Defendant No.19 jointly submit that they have reduced to writing the terms of settlement

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reached between the two of them, leaving the disputes with the other Defendants open. The parties have tendered Consent Terms dated December 15, 2025 in which they have reduced to writing the terms on which they have resolved their *inter se* disputes.

2. The terms essentially entail a joint development of their respective properties i.e. properties of the Plaintiff and Defendant No.19, which would be pursued by them and both of them would continue to prosecute the suit *vis-a-vis* the other Defendants.

3. In these circumstances, the interlocutory orders dated September 11, 2023, September 18, 2025 and an order dated September 25, 2025 would stand varied, only so as to permit such joint re-development of the land entitlements of the Plaintiff and Defendant No.19.

4. These Consent Terms would not affect the rights and obligations of the remaining Defendants and the other parties to the proceedings. Learned Advocate submits that there is nothing in the Consent Terms that conflicts with any requirement of law. The undertakings in the Consent Terms are accepted as an undertaking given to the Court. A copy of the consent terms is taken on record and marked 'X' for identification.

5. Learned Counsel also submits that they would take out a separate application for amendment of the plaint in terms of the Consent Terms.

6. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]