

Kavita S.J.

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

SUIT NO. 148 OF 2024

Sameera Swapan Biswas

...Plaintiff

Versus

Saroj Sorab Engineer & Ors.,

...Defendants

WITH
INTERIM APPLICATION NO. 1416 OF 2024
IN
SUIT NO. 148 OF 2024

Ms. Alisha Lambay a/w Mr. Rameez Khan i/b Lambay & Co., for the Plaintiff.

Mr. Murari Madekar a/w Mr. Sachin Kudalkar i/b Madekar & Co., for Defendant Nos. 1 to 3.

CORAM : R.I. CHAGLA, J.

DATED : 11th JULY, 2025.

ORDER :

1. The learned Counsel appearing for the parties have referred to the Mediation Report dated 22nd May, 2025 which is enclosed at Exhibit-A & B. The two Minutes of Order have been entered into between the parties during the mediation and by which they have settled their dispute. In the Minutes of Order it is recorded that the Suit shall stand disposed of in term of Minutes of Order. The

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parties have in the Minutes of Order dated 20th May, 2025 agreed that the Defendant No.2 shall pay an amount of Rs.12.54 Crores in full and final settlement to the Plaintiff in respect of the “Plaintiff’s 50% share in the property at Shivaji Park”. Thereafter vide subsequent Minutes of Order dated 22nd May, 2025, this has been corrected to read as “Plaintiff’s 50% beneficial interest in the Bablibai S. Sorabji Trust”. The said amount is payable on or before 20th August, 2025.

2. In the subsequent Minutes of Order dated 22nd May, 2025 the period of payment has been extended to 45 days from 20th August, 2025 for paying the outstanding amount with interest @ 12% per annum till payment is made in full. There is a default in Clause 1(b) of the Minutes of Order dated 22nd May, 2025 viz. that the Plaintiff shall have an option to purchase Defendant No.2’s beneficial interest in the said Trust (50%) and 50% tenancy rights in the flat more particularly described in Paragraph 1(i) of the Minutes of Order dated 20th May, 2025 and on the same terms and conditions as stipulated in the said Minutes of Order dated 20th May, 2025. This option to purchase is to be exercised by the Plaintiff within a period of 7 days from the expiry of the said 45 days period.

3. Considering that the parties have settled their dispute by the two Minutes of Order dated 25th May, 2025 and 22nd May, 2025, the Suit No.148 of 2024 is disposed of in terms of the said Minutes of Orders.

4. The Interim Application No.1416 of 2024 does not survive and is accordingly disposed of.

5. The refund of Court Fees shall be in accordance with Rules.

6. The disposed of Suit shall be placed for compliance on 21st August, 2025.

[R.I. CHAGLA, J.]