

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL (L) NO.20941 OF 2024
IN
SUIT NO.924 OF 2001**

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Govind Gupta

.... Appellant.

V/s

Dharmil A. Bodani & Ors.

.... Respondents.

**WITH
APPEAL NO.86 OF 2025
IN
SUIT NO.924 OF 2001**

Somerville Farms Pvt. Ltd.

....Appellant.

V/s

Dharmil A. Bodani & Ors.

.... Respondents.

Mr. Ameya Gokhale a/w Mr. Chintan Gandhi, advocates
for the appellant in APPL/20941/2024.

Mr. Darshit K. Jain i/b. Ms. Divya D. Jain, Advocates for
the Appellants in APP/86/2025

Mr. Udit Raghuwanshi, Advocate for Respondent No.10 in
APP/86/2025

Ms. Akanksha Saxena, Mr. Gaurav Shah, Ms. Jigisha
Vadodara, Ms. M. Lulania, Mr. Darshan Upadhyay i/b
Negandhi Shah & Himayatullah, advocates for the
respondent nos. 1, 2 and 12 in both the above appeals.

Mr. Nitin Pawar, Court Receiver is present in Court.

**CORAM : SHREE CHANDRASHEKHAR, CJ &
GAUTAM A. ANKHAD, J.**

DATE : 13th NOVEMBER 2025.

P.C. :

The judgment in Suit No. 924 of 2001 delivered on 11th
June 2024 indicates that the suit was partly decreed with a
declaration of ownership of 24,990 shares held by the plaintiff
representing 99.96% stake in the first defendant-company.

2. The judgment dated 11th June 2024 has been challenged in Appeal (L) No.20941 of 2024 by Mr. Govind Gupta and in Appeal No.86 of 2025 by Somerville Farms Pvt. Ltd.

3. Ms. Akanksha Saxena, the learned counsel for the respondent nos. 1, 2 and 12 states that the aforementioned judgment in Suit No. 924 of 2001 was accepted by these respondents and no challenge to the judgment dated 11th June 2024 has been laid by them. This is a submission made at the Bar that other defendants in Suit No.924 of 2001 have also chosen not to question the judgment in the said suit.

4. A copy of the Consent Terms signed by both the parties is tendered in the Court which is taken on record and marked "X" for identification to be attached at an appropriate place. These Consent Terms have been signed by Mr. Govind Gupta for himself in Appeal (L) No. 20941 of 2024 and for the appellant-Somerville Farms Pvt. Ltd. in Appeal No.86 of 2025 as its Director. Mr. Govind Gupta has also put his signature on these Consent Terms for M/s Ajit Investments and for Gupta Emerald Mines Pvt. Ltd. The Consent Terms has been signed by the respondent no.1-Dharmil A. Bodani for himself and for respondent no.12-Manju Meadows Pvt. Ltd as its Director and the respondent no.2-Shyamal A. Bodani and affirmed by their respective counsels/Solicitors Firm.

5. Mr. Govind Gupta, Mr. Dharmil A. Bodani and Mr. Shyamal A. Bodani are present in the Court and they are identified by their respective counsels. They have affirmed in the Court that the aforementioned Consent Terms have been prepared on their instructions and they have put their signatures on their own without any force, pressure, coercion or undue influence. Annexure "1" to

these Consent Terms gives details of the litigations pending in the Court. Annexure “2” provides list of documents viz. (i) Copy of Certificate of Incorporation of Manju Meadows Pvt. Ltd., (ii) Copy of Memorandum of Association of Manju Meadows Pvt. Ltd., (iii) Copy of Articles of Association of Manju Meadows Pvt. Ltd. (iv) Original PAN Card of Manju Meadows Pvt. Ltd., (v) Rubber Stamps pertaining to Manju Meadows Pvt. Ltd. and (vi) Copy of Partnership Deed of M/s Ajit Investments. The undertakings given by the parties in these Consent Terms shall be binding on them.

6. Appeal (L) No.20941 of 2024 and Appeal No.86 of 2025 are disposed of in terms of the agreement between the parties as recorded in the Consent Terms. The order dated 15th July 2024 continuing the Receiver’s symbolic possession of the suit property is hereby vacated. The amounts deposited in the account maintained with the Court Receiver, High Court, Bombay shall be refunded along with accrued interest, if any, in favour of the respondent no.1- Dharmil A. Bodani. The Court Receiver shall endeavour to refund such sum within two weeks after adjusting all costs, charges and expenses of the Court Receiver.

7. Let the Consent Terms which are marked “X” for identification be not uploaded as per the practice adopted in the High Court in commercial matters. The paper bearing signatures of Mr. Govind Gupta, Mr. Dharmil A. Bodani and Mr. Shyamal A. Bodani shall form part of the Court records indicating their personal appearance and presence in the Court.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]