

Kavita S.J.

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

EXECUTION APPLICATION NO.2150 OF 2024

Yog Fashions

... Claimant

Versus

Esakki Karabaiya Durai

...Respondent

Ms. Harshika Goel i/b Mr. Rakesh Jain for the Claimant.

Mr. Kamal Agarwal, Proprietor of Claimant present.

Mr. Esakki Karabaiya Durai, Respondent present.

CORAM : R.I. CHAGLA, J.

DATED : 24th MARCH, 2025.

ORDER :

1. The learned Counsel for the Applicant has sought leave to withdraw the Execution Application and has tendered Consent Terms bearing today's date, which has been signed by the Advocate for the Claimant and Respondent in person. The Consent Terms is taken on record and marked 'X' for identification. In the Consent Terms it is mentioned that the parties have arrived at amicable settlement, where Respondent agreed to pay Rs.21,11,000/- in full and final settlement against the claim of the Claimant. It is further

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mentioned in Clause 2 of the Consent Terms that before execution of the Consent Terms, Respondents have handed over Demand Draft bearing No.263290 dated 16th December, 2024 for Rs.15,04,371/- and Demand Draft bearing No.263289 dated 16th December, 2024 of Rs.5,45,966/- both drawn on Canara Bank, Matunga Bazar Branch, Mumbai. It is further stated that the Respondent has directly paid TDS of Rs.60,663/-

2. In view of the settlement arrived at between the parties as recorded in the Consent Terms marked 'X', leave is granted.

3. The Execution Application is disposed of as withdrawn.

[R.I. CHAGLA, J.]