

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL ARBITRATION PETITION NO.435 OF 2024

Tata Capital Limited

....Petitioner

Versus

S.P.T. Group & Ors.

...Respondents

Mr. Gaurav Jangle *a/w. Ms Akshita Jain & Ms Durva Thakare
i/b. I.V. Merchant & Company, Advocates for Petitioner.*

Mr. Swayam S. Chopda, *OSD – Office of the Court Receiver.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : SEPTEMBER 10, 2025

ORDER :

1. This is a Petition under Section 9 of the Arbitration and Conciliation Act, 1996 (*“the Act”*).
2. The disputes and differences between the parties have been settled. A copy of the Consent Terms dated August 18, 2025 has been tendered across the bar. The same is taken on record and marked ‘X’ for identification.
3. The vehicles of which possession had been taken by the Court Receiver are said to have been in the physical possession of the Petitioner, but an Agency Agreement is yet to be signed. An

appropriate Agency Agreement shall be signed within a period of one week from the upload of this order so that the continued possession and the upkeep of property, which is actually property in the custody of the Court, is appropriately covered by an Agency Agreement.

4. The payments referred to in Clause 11 are confirmed as having been received by the Petitioner. In these circumstances, the vehicles which are in the possession of the Petitioner shall be handed over to the Respondents within a week from the upload of this order.

5. The Court Receiver shall ensure that such possession is appropriately handed over to the Respondents after which the Court Receiver shall stand discharged, with the Petitioner paying the Court Receiver's fees in accordance with the rules by the Petitioner to the Court Receiver, without prejudice to the terms of contract between the parties.

6. With the aforesaid directions, the Consent Terms are taken on record and the Petition is *finally disposed of* with the directions as aforesaid.

7. 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.]