

+Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.1053 OF 2025
IN
COMMERCIAL INTELLECTUAL PROPERTY RIGHTS
SUIT NO.197 OF 2025
a/w
COMMERCIAL INTELLECTUAL PROPERTY RIGHTS
SUIT NO.197 OF 2025**

Macrotech Developers Limited and another	 	Plaintiffs
Vs.		
House of Abhinandan Lodha Estate Holdings	 	
Private Limited and others	 	Defendants

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Mr. Darius Khambata, Senior Counsel a/w Mr. Sharan Jagtiani, Senior Counsel, Mr. Hiren Kamod, Mr. Rahul Dwarkadas, Ms. Prachi Dhanani, Mr. Nutash Kotwal, Ms. Shireen Mistri, Ms. Silpa Nair, Ms. Juhi Bhairwani, Yashvi Dave i/by Veritas Legal for the Plaintiffs.

Mr. Rohan Kadam, a/w Ms. Devanshee Shah, Ms Rashi Shah i/b M/s Kartikeya & Associates for Defendant Nos.1, 2, 6, 7, 8 and 15.

Mr. Pravin Anand, Ameet Naik, Madhu Gadodia, Sandhya Singh, Ashutosh Upadhaya, Tarini Kulkarni, Lokesh Kansal i/by Anand & Naik for Defendant Nos.3, 4, 9, 10, 11 and 12.

Mr. Rohan Kadam, Mr. Rohan Dakshini, Ms. Shweta Jayadev, Ms. Nikita Mishra, Ms. Anuja Bhansali, Ms. Urvi Gupte, Ms. Sailee Dhayalkar, Mr. Jai Sanyal, i/by M/s. Rashmikanth and Partners for Defendant No.5.

Ms. Chaitra Rao for Defendant Nos.13 & 14.

Mr. Janak Dwarkadas, Senior Counsel a/w Mr. Kunal Dwarkadas, Mr. Suraj Iyer and Mr. Vijeet Trivedi i/by Ganesh & Co. for Defendant No.16.

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CORAM : ARIF S. DOCTOR, J.

DATE : 15th APRIL, 2025.

P.C.

1. Yesterday, i.e on 15th April, 2025, Learned Senior Counsel appearing on behalf of the Plaintiff, Learned Counsel appearing on behalf of the Defendant No.5 and Learned Senior Counsel appearing on behalf of the Defendant No.16 submitted that the suit had been settled in terms of the Consent Terms dated 12th April, 2025 entered into before the Learned Mediator, Mr. Justice (Retd.) R.V. Raveendran who had been appointed by this Court vide an order dated 31st January, 2025. The final Mediation Report along with duly executed Consent Terms were thus tendered and taken on record by this Court.

2. The aforesaid Consent Terms bear the signatures of Defendant No.5 and Defendant No.16, respectively. Defendant No.5 and Defendant No.16 executed the Consent Terms on behalf of themselves as well as on behalf of any other entities directly or indirectly, controlled, owned, operated, managed by and/or associated with

Defendant No.16 and Defendant No.5 respectively. The entities listed at Annexure IA and 1B have by passing appropriate Resolutions, authorised Defendant No.16 and Defendant No.5 respectively to enter into and execute the aforesaid Consent Terms on their behalf. These Resolutions have been furnished to this Hon'ble Court and are attached hereto at Serial No. "1A Colly" and Serial No. "1B Colly" respectively and are hereby taken on record.

3. On account of the fact that all the resolutions were not readily available yesterday i.e on 15th April, 2025 this Hon'ble Court took the final Mediation Report and the Consent Terms on record and placed the matter today i.e, 16th April, 2025 for the purpose of completion of the formalities.

4. Counsel appearing on behalf of Defendant No. 16 on instructions, states that the entity set out at Sr. No. 13 to Annexure 1A has been transferred and is no longer an entity under the control of Defendant No. 16 and the entity set out at Sr. No. 23 which is incorporated in the Republic of Mauritius is presently undergoing winding up proceedings. He submits that in the event, the entity referred to at Sr. No. 23. for any reason is not wound up and/or the winding up proceedings are terminated, then Defendant No. 16

undertakes that he will ensure that the entity at Sr. No. 23 adheres to the terms set out in the Consent Terms dated 12 April 2025 including by ensuring that the entity at Sr. No. 23 pass appropriate resolutions ratifying Defendant No.16's execution of the Consent Terms on its behalf and confirming that the entity shall comply with the Consent Terms in letter and spirit from the date of execution of the Consent Terms. Accordingly, the names of these entities shall stand deleted from Annexure 1A to the Consent Terms, The entities at Sr. Nos.28 and 29 are one and the same and therefore only one (1) resolution is being produced for both these serial numbers. The entity at Sr. No. 38 has been listed as 'Pleasant Management Consultants LLP (AIF)' which is a typographical error and the actual name of the entity is 'Pleasant Investments Management LLP'. Defendant No. 16 confirms the accuracy of the above statements and undertakes that in the event any of the statements is found to be inaccurate, he shall ensure that the concerned entity adheres to the terms set out in the Consent Terms dated 12th April 2025 including by procuring that the said entities pass appropriate resolutions ratifying Defendant No. 16'S execution of the Consent Terms on their behalf and confirming that such entities shall comply with the Consent Terms in letter and spirit from the date of execution of the Consent Terms.

5. Counsel appearing on behalf of Defendant No. 5 states that the entity set out at Sr. No. 45 of Annexure 1B is reflected as “Lodha Associates” which is now known as “M/s HOABL Impactum lands”. The Company Identification Number (CIN) for the same entity is incorrectly set out as U70109MH2022PTC375651 which is a typographical error and the actual identification number of the entity is “FA1/0019946”.

6. A perusal of the final Mediation Report and Consent Terms reflects that the signatures of Defendant No.5 and Defendant No.16 have been appended to the Consent Terms in the presence of the Learned Mediator who has duly authenticated execution of the said Consent Terms.

7. The terms of the Consent Terms, including the statements made and the obligations therein, are to be considered as undertakings made to this court.

8. The present suit is decreed and disposed of in terms of the Consent Terms dated 12 April 2025. The Parties shall act on the basis of this Order read with the final Mediation Report and the Consent Terms.

9. Refund of Court Fees, if any, as per Rules,

10. All pending applications stand disposed of.
11. Liberty to apply.
12. This order is passed in the presence of and by consent of all the parties.

[ARIF S. DOCTOR J.]