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

TRUST PETITION NO.1 OF 2025

Nakul Toshniwal

... Petitioner

Versus

Neha Dubey

...Respondent

Mr. Rohaan Cama a/w. Ms. Rajvi Mehta and Ms. Laleh Pandole i/b Vashi & Vashi for the Petitioner.

Ms. Veena Gowde a/w. Ms. Aditi Uniyal for the Respondent.

CORAM : JITENDRA JAIN, J.

DATED : 16 JANUARY 2026

P. C.:

1. After hearing both the learned counsel, the Court feels that in terms of settlement agreement dated 4 June 2022, if any difference of opinion arises in relation to the settlement terms then the parties had agreed to approach the mediator for resolution thereof within 15 days of the difference of opinion. Relevant clause “U” reads as under:

“U. The Parties agree and declare to mutually attempt to resolve any issues, difficulties or misunderstandings arisen in relation to the above stated terms; failing which the Parties shall be at liberty to approach the Mediator Mr. Justice SJ Kathawalla (Retd.) for resolution thereof within a period of 15 days of the said issue, difficult or misunderstanding persisting.”

2. In view of above, both the learned counsel, on instructions,

agrees that dispute raised in the present petition as well as all other matters pending between them in various forums be referred to mediation to Mr. Justice S. J. Kathawala (Retired). The expenses of the mediation will be borne by both the parties equally.

3. Liberty to the parties to mention the present matter after the report of the mediation is received.

4. Adjourned *sine die*.

[JITENDRA JAIN, J.]