

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO.1586 OF 2016
IN
SUIT (L) NO.466 OF 2016

17

Omkar Realtors and Developers Pvt. Ltd. ... Plaintiff
versus
Abhudaya Nagar Sahakari Gruhanirman
Sanstha Sangh Ltd. and Anr. ... Defendants

Mr. Chirag Balsara with Ms. Ketaki Mishra i/by M/s. Diamondwala and Co., for Plaintiff.
Mr. A.S.Desai, for Defendants.

CORAM: S.J. KATHAWALLA, J.

DATE: 20th JUNE, 2016

RC.:

1. The learned Advocate for the Defendant Society on instructions from the Chairman of the Society, undertakes that the Society shall deposit Rs.20 Crores along with interest earned thereon with the Prothonotary and Senior Master within a period of one week from today. The undertaking is accepted. Stand over to 27th June, 2016.

(S.J.KATHAWALLA, J.)

ssp

TRUE COPY

Dated 22/6/16
Section Officer
High Court, Appellate Side
Bombay

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

NOTICE OF MOTION (L) NO. 1586 OF 2016

IN

SUIT (L) NO. 466 OF 2016

Omkar Realtors and Developers Pvt. Ltd.

...Plaintiffs

vs.

Abhyuday Nagar Sahakari Gruhanirman
Sansthacha Sangh and another

...Defendants

Mr. Cherag Balsara, along with Ms. Ketaki Mishra and Mr. Kalpesh Saxena,
instructed by M/s. Diamondwala & Co., for the Plaintiffs.

Mr. A.S. Desai for the Defendants.

CORAM: S.J. KATHAWALLA, J.

DATE : 13th JULY, 2016

P.C.

The Learned Advocates appearing for the parties have tendered Consent Terms dated 13th July, 2016. They submit that the Consent Terms be taken on record and the suit be disposed off in terms of the Consent Terms. The Consent Terms are taken on record and marked "X" for identification. The Consent Terms are signed by the Plaintiffs, Chairman and Secretary of Defendant No.1, who are present in Court, and the Advocates for the parties. Suit as well as the Notice of Motion are disposed off in terms of the Consent Terms marked "X". Refund of Court fees, if any, as per Rules.

All concerned, including the Prothonotary and Senior Master, to act on an ordinary copy of this order duly authenticated by the Associate of this Court.

(S.J. KATHAWALLA, J.)

HIGH COURT, BOMBAY

KPPNair

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****NOTICE OF MOTION (L) NO. 2264 OF 2016****IN****SUIT NO. 681 OF 2016**Abhyudays Nagar Sahakari Gruhanirman Sanstancha
Sangh Ltd... Applicant
(Orig.Defendant)In the matter between:

Omkar Realtors and Developers Pvt. Ltd.

.. Plaintiff

vs.

Abhyudays Nagar Sahakari Gruhanirman Sanstancha
Sangh Ltd. and another

...Defendants.

Mr. A.S. Desai for the Applicant in support of the Notice of Motion.
M/s. Diamondwala & Co., for the Plaintiff.**CORAM: S.J. KATHAWALLA, J.****DATE: 12th August, 2016****P.C.**

Heard the learned Advocates appearing for the parties. Perused the Notice of Motion and the affidavit in support thereof. By consent of the parties, Notice of Motion is allowed in terms of prayer clauses (a) and (b) which are reproduced hereunder:

"(a) That this Hon'ble Court will be pleased to direct the Prothonotary & Sr. Master, Hon'ble High Court, Mumbai to pay sum of Rs. 4,31,680/- accrued interest on deposit of Rs. 21,43,71,803/- to the defendant society.

KPPNair

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(b) That this Hon'ble Court will be pleased to allow the Plaintiff and Defendant to rectify the clause No. 12 in second line of consent term thereby deleting word "General Body Meeting" and in place thereof word "Managing Committee Meeting" be allowed to replace."

Amendment to be carried out on or before 19th August, 2016. Notice of Motion is accordingly disposed off.

(S.J. KATHAWALLA, J.)

TRUE COPY

D. 20/8/16

Section Officer
High Court, Appellate Side
Bombay