

ITEM NO.31

COURT NO.2

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 8851-8853/2020

(Arising out of impugned final judgment and order dated 02-12-2019 in WP No. 8409/2004 02-12-2019 in OSWP No. 230/2008 27-01-2020 in IA No. 1/2020 passed in WP No. 8409/2004 by the High Court Of Judicature At Bombay)

THE KAPOL COOPERATIVE BANK LIMITED

Petitioner(s)

VERSUS

M/S DEVANSH PHARMA CHEM & ORS.ETC.

Respondent(s)

IA No. 104372/2021 - AMENDMENT IN CAUSE TITLE

IA No. 128519/2023 - FORMAL DISPOSAL

WITH

SLP(C) No. 15229-15230/2022 (IX)

IA No.83488/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.83491/2022-APPLICATION FOR SUBSTITUTION and IA No.83492/2022-CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. and IA No.83489/2022-PERMISSION TO FILE LENGTHY LIST OF DATES and IA No.83494/2022-APPLICATION FOR ABATEMENT)

Date : 28-07-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Vijay Kumar, AOR
Mrs. Vithika Garg, Adv.
Ms. Vidushi Garg, Adv.

Mr. Shyam Kumar, Adv.
Mr. Nikhil Jain, AOR
Ms. Iqra Khan, Adv.
Mr. Rupesh Raj, Adv.
Ms. Divya Jain, Adv.
Ms. Monica Dhingra, Adv.

For Respondent(s) Mr. Nikhil Jain, AOR
Mr. Vijay Kumar, AOR

Mrs. Vithika Garg, Adv.
Ms. Sangeeta Kumar, AOR

Mr. Shrirang B. Varma, Adv.

Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Application for amendment of memo of parties is
allowed.

Delay in filing substitution is condoned.

Abatement is set aside.

Application for substitution is allowed.

The parties to the dispute have entered into a
settlement agreement dated 30.06.2023 and have filed
the present applications I.A. No.128519/2023 and
I.A. No.128521/2023 praying for disposal of the
Special Leave Petitions in terms of the settlement
agreement.

The settlement agreement has been signed by the
parties and the witnesses and a copy of the same has
been placed on record.

The amounts in terms of the settlement
agreement are stated to have already been paid.

Learned counsel for the respondent points out
that the only aspect which is still pending arises
from Clause 14 in terms whereof the title documents

have to be returned simultaneously on payment but they are still to be returned.

Learned counsel for the petitioner states that they will be returned within three days from today.

The settlement agreement is taken on record and the Special Leave Petitions are disposed of in terms of the settlement agreement. Parties will remain bound by the same.

Pending applications stand disposed of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)