

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 11260 OF 2018
(Arising out of SLP No.2844/2017)

IDBI TRUSTEESHIP SERVICES LTD.

Appellant(s)

Versus

HUBTOWN LTD.

Respondent(s)

J U D G M E N T

KURIAN, J.

Leave granted.

The appellant approached this Court challenging the order dated 24.10.2016 passed by the High Court in Commercial Appeal No. 7 of 2016. Though the parties have raised a serious question of law, having sensed that there is an element of settlement, we requested Mr. R. Basant, learned senior counsel for assistance, who has graciously accepted the same. We are informed that the mediation has been successful. The parties have settled their disputes. A Memo on the consent terms has been produced, duly signed by the parties and their counsel. The same shall form part of the decree.

The appeal is disposed of in terms of the consent. Pending applications, if any, stand disposed of.

In terms of the settlement, Summary Suit No.776/2014 and 105/2015 pending before the High Court of Bombay are disposed of.

We direct the parties to abide by the terms of settlement. We also direct the parties to file a compliance report before Registrar (Judl) of this Court on 28.1.2019. We fix the Mediator's fee of the learned Mediator as Rs. 5,00,000/- (Rs.five lakh) which shall be equally borne by the parties.

We record our sincere appreciation for the arduous work of assisting the parties to settle the dispute. Since learned Mediator Mr. Basant has graciously declined to take any remuneration for mediation, we direct the parties to deposit the amount with the Supreme Court Employees Mutual Welfare Fund, within a period of two weeks.

.....J.
(KURIAN JOSEPH)

.....J.
(HEMANT GUPTA)

NEW DELHI,
NOVEMBER 22, 2018

ITEM NO.47

COURT NO.3

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).2844/2017

(Arising out of impugned final judgment and order dated 24-10-2016 in CAN No. 7/2016, in SJ No. 111/2014, in SC No. 776/2014 passed by the High Court Of Judicature At Bombay)

IDBI TRUSTEESHIP SERVICES LTD

Petitioner(s)

VERSUS

HUBTOWN LTD

Respondent(s)

Date : 22-11-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE HEMANT GUPTA

MR. R.Basant, Sr.Adv.

For Petitioner(s) Mr. Mohit Bakshi, Adv.
Mr. Pallavi Kumar, Adv.
Mr. Divyam Agarwal, AOR

For Respondent(s) Mr. Ashok K. Aggarwal, Adv.
Mr. Ejaz Maqbool, AOR
Mr. Mudit Sharma, Adv.
Ms. Tanya Shree, Adv.
Mr. Kurwar Aditya Singh, Adv.
Mr. Parwez Alam, Adv.

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

Leave granted.

The appeal is disposed of in terms of signed non-reportable judgment.

(B.Parvathi)
Court Master

(Saroj Kumari Gaur)
Branch Officer

(Signed non-reportable judgment is placed on the file)