

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

INTERIM APPLICATION NO. 1 OF 2020

IN

SUIT NO. 1304 OF 1986

Siddharth Construction Company

.. Applicant/
(Orig. Defendant No.2)

In the matter between :

Tirupati (Mahalaxmi) Cooperative
Housing Society Limited

.. Plaintiff

Vs.

M/s. Gowani Builders (Pvt.) Ltd.
& Ors.

.. Defendants

Mr.Firoz Bharucha a/w.Mr. Ravi Gandhi, Mr. M.A Kamdar,
Mr.Rashmin Jain and Mr.Karan Thakkar i/b. Kanga & Co., for
applicant/Orig. Defendant No.2.

Mr. D.V. Deokar i/b. Parimal K. Shroff for Defendant No.1.

CORAM : N.J. JAMADAR, J.

DATE : 28th JANUARY 2021

P.C.

1. Heard the learned counsels for the parties.
2. The matter is ripe for hearing and final disposal.
3. The applicant-original defendant No.2 has taken out this application for marking drawn up consent decree dated 2nd November 1982 in evidence, which was impounded and sent for adjudication of stamp duty and penalty thereon.
4. The learned counsel for defendant No.2 submits that, post adjudication, the requisite stamp duty and penalty is paid by the

defendant No.2 and the drawn up consent decree has been received back in the office of the Prothonotary and Senior Master.

5. Stand over to 22nd February 2021 for consideration of interim application.

The drawn up consent decree be called for perusal of the Court on the next date.

[N.J. JAMADAR, J.]