

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.17895/1999

(From the judgement and order dated 15/11/1999 in AN 1138/99  
of The HIGH COURT OF BOMBAY)

INDIAN OVERSEAS BANK

Petitioner (s)

VERSUS

MARSHAL SONS & CO. (INDIA) LTD.

Respondent (s)

(With prayer for interim relief)

( With Appln(s). for exemption from filing c/c of the impugned Judgment )

Date : 5/1/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS  
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. K.N.Balgopal,adv.  
Mr. C.N. Sree Kumar,Adv.

For Respondent (s) Mr. Gopal Jain,adv.  
Mr. R.N.Karanjawala,adv.  
Ms. Nandini Gore,adv.  
Mrs Manik Karanjawala,Adv.

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

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.SP2

Both counsel agree that pursuant to the compromise effected by the parties possession of the suit property has been handed over to the respondent-Marshal Sons & Co. (India) Ltd. on 31.12.2000. Petitioner has deposited a sum of Rs.1,45,79,902/- (one crore forty five lakhs seventy nine thousand and nine hundred and two) on 6.12.1999 with the Registrar of the High court of Bombay and a further sum of Rs.10,7,547/- (ten lakhs seven thousand and five hindered and forty seven) has also been deposited by the petitioner with the Bombay High Court. Both parties agree

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that the said amount can be released to the respondent-Marshal Sons Company (India) Ltd. It is also agreed that the said payments will be in full and final settlement of all claims between the parties. Learned counsel for the respondent submits that respondent would approach Prothonotary and Senior Master of the Bombay High Court for disbursement of the amount deposited.

Suit No.2806/97 pending in the High Court of Bombay  
will stand withdrawn. The SLP is dismissed as withdrawn.

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(Suman Wadhwa)  
PA to Addl.Regr.

(H.K. Bhatia)  
Court Master