

ITEM NO.34

COURT NO.13

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). 16609/2026

[Arising out of impugned judgment and order dated 06-02-2025 in WP No. 8526/2024 passed by the High Court of Judicature at Bombay]

M/S SHUBH ENTERPRISES

Petitioner(s)

VERSUS

HEMALI VRAJENDRA THAKKAR & ORS.

Respondent(s)

IA No. 232564/2026-FOR DIRECTION

Date : 23-09-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE ARUN PALLI

For Petitioner(s) Ms. Deeplaxmi Subhash Matwankar, AOR
Ms. Deeplaxmi Matwankar, Adv.
Ms. Manreet Kaur, Adv.
Ms. Manshi Jain, Adv.

For Respondent(s) Dr. Dinesh Mohan Sinha, Adv.
Dr. Prince Mohan Sinha, Adv.
Mr. Rajeev Kumar Deora, Adv.
Mr. Shiv Nath Bind, Adv.
Mr. Wakil Kumar, Adv.
Mr. Anil Kumar, AOR

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

1. Heard learned counsel for the parties.
2. The present petition calls in question the correctness of the order dated 06-02-2025 in WP No. 8526/2024 passed by the High Court of Judicature at Bombay. The grievance of the petitioner is that after the terms of the settlement were

arrived at and the matter was agreed to be resolved by a total payment of Rs.44,33,055/- towards full and final claims of respondent nos.1 & 2. There is a default to the tune of Rs.14,33,055/-.

3. When the matter came up for hearing on 04.05.2026, this Court made the following order:-

"1. Application for exemption from filing certified copy of the impugned judgment is allowed.

2. Heard Ms. Mansi Jain, learned counsel appearing for the petitioner.

3. Delay condoned.

4. Issue notice.

5. Before the High Court, initially the settlement terms were filed mutually agreeing to settle the dispute upon the petitioner paying a sum of Rs.44,33,055/- (Rupees forty four lakhs thirty three thousand and fifty five) towards full ad final settlement of all claims of respondent Nos. 1 and 2. The petitioner paid the money under the settlement, except that a sum of Rs.14,33,055/- (Rupees fourteen lakhs thirty three thousand and fifty five) was not paid and there was a default. In view of this default, the original awarded amount stood restored as that was the undertaking given to the Court.

6. Today, learned counsel for the petitioner submits that the petitioner will make good that amount. Learned counsel submits that to show bona fide, the petitioner will deposit a sum of Rs.16,00,000/- (Rupees sixteen lakhs) in the Registry of this Court.

7. If the said amount is deposited in the Registry of this Court within a period of two weeks, there shall stay of execution proceedings bearing Execution

Application No.3 of 2023 pending before the State Consumer Dispute Redressal Commission Maharashtra State, Mumbai.

8. Liberty to serve by dasti.

9. Upon such deposit being made, the said sum be invested in a short term fixed deposit in a Nationalized bank on auto renewal basis.

10. List on 29th May, 2026."

4. Pursuant to the aforesaid order, the amount of Rs.16,00,000/- covering the balance of Rs.14,33,055/- and an additional amount to compensate the respondent nos.1 & 2 towards interest and cost in a consolidated manner, were ordered to be deposited. The amount is since been deposited and is lying in a fixed deposit in this Court.

5. Today, learned counsel for the respondents submits that the amount of Rs.16,00,000/- lying in this Court, along with the accrued interest be released in favour of the respondent nos.1 & 2.

6. In view of above, the Registry is directed, on due identification, release the said amount along with accrued interest in favour of the respondent nos.1 & 2 within a period of two weeks from today.

7. On release of the said amount, the dispute between the parties will stand fully settled and the release of said amount will be the full settlement of the claims of respondent nos.1 & 2.

8. With the above observations, IA 232564/2026 and the Special Leave Petition are disposed of.

9. Pending application(s), if any, shall also stand disposed of.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(NIKITA SINGH)
COURT MASTER (NSH)