

## IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTIONARBITRATION PETITION NO. 79 OF 2012

Kotak Mahindra Prime Ltd.

..Petitioner

vs.

Sunita Ulhas Jadhav

...Respondent

Ms. Punita Arora with Mr. Punit Arora, instructed by M/s. Arora & Co., for the  
Petitioner.

Ms. Payal Parikh for the Respondent.

ALONG WITH  
ARBITRATION PETITION (L) NO. 140 OF 2012  
&  
NOTICE OF MOTION NO. 1049 OF 2012

CORAM: S.J. KATHAWALLA, J.

DATE: JULY 24, 2012.

P.C.

Heard the learned Advocates appearing for the parties. The  
following order is passed by consent.

- (i) The Respondent-Sunita Ulhas Jadhav shall pay an amount of Rs. 9,00,000/- (Rupees Nine lakhs only) to the Petitioner-Kotak Mahindra Prime Limited in full and final settlement of the Petitioner's claim against the Respondent. The said amount of Rs. 9,00,000/- shall be paid as follows:

- (a) Rs. 3,00,000/- on 1<sup>st</sup> August, 2012.
  - (b) Rs. 3,00,000/- on 1<sup>st</sup> September, 2012.
  - (c) Rs. 3,00,000/- on 1<sup>st</sup> October, 2012.
- (ii) In the event of any default committed by the Respondent, the Petitioner shall be at liberty to execute the Award against the Respondent.
- (iii) In the event of the Respondent paying the aforesaid three instalments, the Petitioner shall not be entitled to receive any further payments from the Respondent in terms of the Award.
- (iv) Until the amount is paid, the Respondent shall not sell, transfer, alienate, mortgage, encumber, dispose of or otherwise create any third party rights or part with possession of the vehicle i.e. Toyota Innova Car bearing Registration No. MH 04 DJ 2960.
2. The Arbitration Petitions and the Notice of Motion are accordingly disposed of.

**(S.J. KATHAWALLA, J.)**