

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

SUIT NO.3086 OF 1999

Sucharu Enterprises ... Plaintiff
versus
The Official Liquidator, High Court,
Gujarat of M/s. Motorola (I) Ltd. & Ors. ... Defendants

Mr. M. Kalyaniwala i/by M/s. Mulla and Mulla, for Plaintiff.
Ms. Vaishali Bhilare, for Defendant No.6.
Mr. Anant Narayan, for Defendant No.7.
Mr. Saurabh Kaushal of Sucharu Enterprises, present.
Mr. Anitesh Manisingh Manager Legal and Mr. M.S.Suresh Kumar, AGM (Legal) of
Canara Bank, present.

CORAM: S.J. KATHAWALLA, J.

DATE: 14th DECEMBER, 2015

P.C.:

1. Heard the learned Advocates for the parties and the following order is
passed by consent :

(i) The Plaintiff is not pressing the Suit against Defendant Nos.1, 2 and 5.
The Suit against Defendant Nos.1, 2 and 5 is therefore, dismissed for want of
prosecution.

(ii) From the amount of Rs.2,93,38,405/- deposited with the Prothonotary
and Senior Master of this Court, an amount of Rs.1,88,50,000/- shall be handed over
to Canara Bank and the balance amount to the Plaintiff within a period of two weeks
from today.

(iii) A copy of this order shall be forthwith served by the Advocate for the Plaintiff on the Defendants against whom the Suit is dismissed.

(iv) The parties shall act on a copy of this order duly authenticated by the Associate of this Court.

(S.J.KATHAWALLA, J.)