

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 282 OF 2013
WITH
LEAVE PETITION NO. 62 OF 2013
WITH
NOTICE OF MOTION NO. 1416 OF 2014
IN
SUIT NO. 282 OF 2013**

Ratan Gopaldas Bhojwani & 2 Ors.	...Plaintiffs
<i>Versus</i>	
Lila Wadhwani & 5 Ors.	...Defendants

**WITH
TESTAMENTARY PETITION NO. 488 OF 2013**

Lila Gobindram Wadhwani & Ors.	...Petitioners
<i>And</i>	
Kishu Jeramdas Wadhwani	...Deceased

Mr. F. Dubash, *with Mr. D. Pednekar, i/b M/s. Hariani & Co., for the Plaintiffs in S/282/13.*

Mr. N. Thakkar, *Senior Advocate, i/b Ms. P. Singh, for Defendant No. 1 in S/282/13.*

Ms. R. Vaidya, *i/b M/s. Sonal Doshi & Co., for Defendants Nos. 2 & 3 in S/282/13.*

Mr. N. Thakkar, *Senior Advocate, i/b Mr. B.G. Saraf, for the*

Petitioner in TP/488/13

CORAM: G.S. PATEL, J
DATED: 23rd September 2015

PC:-

1. Consent terms are filed in Suit No. 282 of 2013. These are signed by Plaintiffs Nos. 1 and 3 by themselves. Plaintiff No. 2 has signed through his Constituted Attorney, Plaintiff No. 1. Defendant No. 1 has signed through her Constituted Attorney and so has Defendant No. 4. Defendants Nos. 2 and 3 have signed the terms themselves. It is agreed that the Suit is to be dismissed as against Defendants Nos. 5 and 6, both Cooperative Societies. So ordered.
2. The signatories to the consent terms are personally present in Court. They are identified by their Advocates.
3. The consent terms are taken on record and marked "X" for identification. The undertakings in the consent terms are accepted as undertakings to the Court. The Suit is decreed in accordance with the consent terms.
4. Leave Petition No. 62 OF 2013 is made absolute.
5. In view of disposal of the Suit, nothing survives in Notice of Motion no. 1416 of 2014 and the same is disposed of as such.

6. Mr. Thakkar is instructed by the Petitioners in Probate Petition No. 488 of 2013 to withdraw the Petition, in view of the consent terms. Petition is allowed to be withdrawn.
7. All interim/ad-interim orders stand vacated.
8. Refund of court fee (in both the Suit and the Testamentary Petition) in accordance with the Rules.
9. All concerned, including the Banks mentioned in the consent terms, to act on an authenticated copy of this order.

(G. S. PATEL, J.)

CERTIFICATE

“Certified to be a true and correct copy of the original signed Judgment/Order.”