

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 867 OF 2014
WITH
NOTICE OF MOTION NO. 1453 OF 2014
IN
SUIT NO. 867 OF 2014

Gibson Gas Tankers Ltd.	...Plaintiffs
<i>Versus</i>	
Pesi H. Sanjana & 2 Ors.	...Defendants

Mr. Rahul Narichania, Senior Advocate,*a/w Ms. Bindiya Raichura, Ms. Pratiksha Auhad, Ms. Smriti Jha, i/b M/s. Mulla & Mulla, for the Plaintiffs.*

Mr. Denzil Abraham, i/b M/s. Wadia Ghandy & Co., for the
Defendants Nos. 1 and 2.

Mr. Gaurav Mehta, i/b M/s. Bachubhai Munim & Co., for the
Defendant No. 3.

CORAM: G.S. PATEL, J
DATED: 24th February 2015

PC:-

1. The suit is settled. Consent minutes of the order are tendered. Even though these are captioned as being in Notice of Motion No. 1453 of 2014, it is agreed that these will be the minutes

in the suit itself. The consent minutes are signed by the Advocates for the Plaintiffs and the Advocates for Defendants Nos. 1 and 2. The Advocates for the parties confirm that they have the requisite authority and the necessary instructions to execute and sign these consent minutes on behalf of their respective clients.

2. The 3rd Defendant is the Hill Co-operative Housing Society, the company that owns the building in which the suit premises are located. Although the 3rd Defendant's authorised representative is unavailable to sign the consent minutes tendered today, the learned Advocate for the 3rd Defendant confirms that the 3rd Defendant has no objection to and does not oppose the filing of the consent minutes or an order in terms thereof.

3. In these circumstances, the suit is disposed of in terms of the consent minutes of the order tendered and marked "X" for identification. Undertakings in the consent minutes are accepted as undertakings to the Court. The suit is disposed of accordingly. Refund of Court fee, as per Rules. All concerned to act on an authenticated copy of this order.

4. Drawn up decree is dispensed with.

5. In view of these, the Notice of Motion does not survive and is also disposed of accordingly.

At 3.00 p.m.:

The representative of the 3rd Defendant company is personally present in Court at 3.00 p.m. For good order, he and his Advocates are permitted to sign the consent minutes of the order in Court today.

(G. S. PATEL, J.)