

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

**SUMMARY SUIT NO. 66 OF 2008**

Sabic Innovative Plastics India Pvt. Ltd.

formerly known as GE India

.. Plaintiff

Vs.

M/s. Deepsang Corporation & Ors.

.. Defendants

Ms.Khushbu Jain i/b Dhruve Liladhar & Co. for plaintiff.

Mr.Rajesh Patil i/b Mr. Mahesh Jani for defendants.

**CORAM : K.R.SHRIRAM, J.**

**DATE : 16<sup>TH</sup> JULY, 2015**

**P.C.**

1 At the request of the counsel for the plaintiff, the suit allowed to be withdrawn. Refund of court fees, if any, in accordance with Rules.

2 The counsel for the defendants states that while the summons for judgment came to be dismissed on 7.05.2009, cost of Rs.10,000/- was imposed. The counsel today is also pressing for cost because the defendants had filed the written statement, issues were framed, affidavit of evidence is also filed and the trial has begun whereby the Commissioner has been appointed to record evidence in the matter after marking of documents. The counsel also states that the defendants have incurred substantial costs in litigating the matter and the plaintiff should not be allowed to simply

withdraw the suit.

3 I agree with the submissions of the counsel for the defendants. The plaintiff to pay a sum of Rs.50,000/- as costs to the defendants. The Prothonotary and Senior Master to process refund of court fees to the plaintiff only upon being satisfied that the plaintiff has paid the costs as awarded above.

**(K.R. SHRIRAM, J.)**