

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****ORDINARY ORIGINAL CIVIL JURISDICTION****SUIT NO.313 OF 2007**

Priyakumar Trilokinath Agarwal ... Plaintiff

V/s.

M/s. Raghunath Co. and Ors. ... Defendants

...

Mr. Bhupesh Dhamatkar i/b M/s. Jhangiani Narula & Associates for the plaintiff.

Mr. S. M. Sharma i/b. M/s. M. P. Vashi for defendant nos.3 to 6 & 12 to 15.

...

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

**DATE : JULY 11, 2016.**

P.C.:

1. Further to order dated 10<sup>th</sup> June, 2016 read with order dated 8<sup>th</sup> July, 2016, Shri Dhamatkar appearing for the plaintiff states that the plaintiff's son is present in Court and has handed over to him a cheque for Rs.10,000/- drawn in favour of 'NAAM FOUNDATION'. Shri Dhamatkar undertakes to have the cheque delivered to 'NAAM FOUNDATION'.

2. As regards defendant no.5, learned counsel Mr. Sharma states that his client has handed over to him two cheques in

accordance with the order dated 10<sup>th</sup> June, 2016. He confirmed having handed over a cheque for Rs.15,000/- to the advocate for the plaintiff and he also undertakes to hand over the cheque for Rs.10,000/- to 'NAAM FOUNDATION' personally.

3. In view of the undertaking given by the advocates, Suit is dismissed as withdrawn unconditionally.

4. Refund of Court Fee in accordance with law and the Prothonotary & Senior Master to process the refund application only after being satisfied that the amount being paid by the plaintiff to 'NAAM FOUNDATION' has been actually paid and the account of the plaintiff is debited to that extent.

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