

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 449 OF 2016
WITH
NOTICE OF MOTION NO. 1404 OF 2016**

Ultratech Cement Limited & Another	...Plaintiffs
<i>Versus</i>	
City Cement Private Limited	...Defendants

Ms. Alka Parelkar, *with Ms. Khushboo Bhatt, i/b V.A. Associates, for the Plaintiffs.*
Mr. V.V. Mohite, *for the Defendants.*

CORAM: G.S. PATEL, J
DATED: 8th July 2016

PC:-

1. The Suit is settled. Consent Terms are tendered. These are signed by one Mr. Rajesh Lunawat, the Manager-Central Commercial Coordinator for Plaintiff No. 1 and as a Constituted Attorney of Plaintiff No. 2 and by Mr. Narendra Gopal Singhal, Managing Director of the Defendant. They are also signed by the Advocates for the parties. Mr. Singhal is personally present in Court. Mr. Lunawat is unable to attend the Court on account of his prior commitments.

2. I have seen the Consent Terms. They are in order. I am satisfied that they are not contrary to law; that they reflect the true intention of the parties and have been drawn by the parties on their own volition.

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.

4. The Suit is decreed in accordance with the Consent Terms. Drawn up decree is dispensed with.

5. Refund of court fees, if any, in accordance with the Rules.

6. It is also agreed that the seized goods inventoried by the Court Receiver are to be dealt with as follows:

(a) The Defendants are at liberty move the contents of the bags in question.

(b) The bags themselves are to be destroyed. This will be done by the Court Receiver in the presence of the representatives of both the sides within a period of four weeks from today.

7. The Court Receiver stands discharged without passing accounts but on payment of his costs, charges and expenses by the Plaintiffs within three weeks from today.

8. In view of this order, Notice of Motion No. 1404 of 2010 does not survive and is disposed of accordingly.

(G. S. PATEL, J.)