

JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 1707 OF 2016
IN
SUIT NO. 554 OF 2016

PTC., Inc., and Another ...Plaintiffs
Versus
Singh J and four others. ...Defendants

Mr. Rahul Ajatshatru, i/b Anand and Anand for the Plaintiffs.
Mr. A. Tammnavar, Section Officer of Court Receiver present.

CORAM: G.S. PATEL, J
DATED: 22nd November 2016

PC:-

1. The Suit has been partially decreed. That was under an order dated 4th October 2016. The Suit was decreed in part, leaving open the question of damages on which Mr. Ajatshatru for the Plaintiff was to take instructions.

2. He today presents a statement of damages and loss including actual costs incurred. He does not on instructions press his claim to the entire amount of damages of Rs.20 lakhs. He submits that the actual costs incurred, viz., Rs. 14,500/- for pre-filing investigation, Rs. 7,75,000/- towards litigation costs including counsel fees and court fees and Rs.4,60,000/- towards expenses of Court Receiver

and two inspections carried out in the month of May and July 2016 be recovered to the Plaintiff. This is reasonable. The Suit is finally decreed in addition to previous decree in the total of Rs.12,49,500/- jointly and severally against Defendants Nos. 1, 3, 4 and 5. There can be no question of disputing that these are the actual costs incurred. In any case, these Defendants have already submitted to decree in terms of the other prayers, and in their presence the matter was left open on the question of costs till today. Their submission to a decree on the other terms entitles the Plaintiff to such an order today.

3. The Court Receiver is to stand discharged without passing accounts but on payment of his costs, charges and expenses within three weeks by the Plaintiffs.

(G. S. PATEL, J.)