

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT (L) NO. 804 of 2016**

Shyamsunder Bhagwandas Peswani	...Plaintiff
<i>Versus</i>	
Beharilal Bhagwandas Peswani and others	...Defendants

Mr. Ashish U. Mishra, *for the Plaintiff.*
Mr. Sahil Mahajan, *for the Defendants Nos. 1 to 3.*
Mr. Sushil Kumar, *for the Defendant No.7.*

CORAM: G.S. PATEL, J
DATED: 27th October 2016

PC:-

1. Additional Affidavit of Defendants Nos. 1 to 3 affirmed on 25th October 2016 is taken on record. It is to be filed in the Registry with proper pagination.
2. The Suit is settled. Consent Terms are tendered. The Consent Terms are signed by the Plaintiff, by the 3rd Defendant for herself and as the Constituted Attorney of Defendant No. 1, by Defendant No. 2, and by the Advocates.
3. I have seen the Consent Terms. They are in order. They are not contrary to law and they appear to reflect the parties' true intention and have been drawn by the parties of their own volition.

The Consent Terms are taken on record and marked “X” for identification. The undertakings in the Consent Terms, if any, are accepted as undertakings to the Court.

4. The Suit is disposed of in accordance with the Consent Terms. The Suit is withdrawn as against Defendants Nos. 4 to 7. However, Defendants Nos. 5 and 7, Bharat Co-operative Bank Limited and Samata Co-operative Bank Limited, respectively, are directed to unfreeze the accounts of Defendant No. 3 which they had earlier frozen.

5. The drawn up decree is dispensed with. However, if for the purpose of implementation of these Consent Terms, should the parties require a drawn up decree, they will be entitled to apply to the Department for one without having to make a separate application in that behalf and on production of an authenticated copy of this order. Drawn up decree is to be strictly in accordance with these Consent Terms only.

6. The Suit is disposed of in these terms with no order as to costs. Refund of court fee, if any, in accordance with the Rules.

7. All concerned to at on an authenticated copy of this order.

(G. S. PATEL, J.)