

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

**SUMMARY SUIT NO.1062 OF 2015  
WITH  
NOTICE OF MOTION NO.1502 OF 2016  
NOTICE OF MOTION NO.1938 OF 2016  
NOTICE OF MOTION NO.2171 OF 2016**

M/s.Anil Agencies

....Plaintiffs

V/s.

M/s.Unitron Engineers and Ors.

....Defendants

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Mr.K.P.Shah for plaintiffs.

Mr.Anil Shah-sole proprietor of plaintiffs present.

Dr.Suneet Gupta for defendant no.1 & 3 to 5.

Mr.Rajesh Machado i/by Ivor Peter D'cruz for defendant no.2.

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**CORAM : K.R.SHRIRAM,J  
DATE : 27.10.2016**

**P.C.:-**

1           The counsel for the plaintiffs states that the parties have amicably worked out the matter and consents to recalling the ex-parte decree passed against the defendants. In view thereof, ex-parte decree passed on 22.4.2016 stands recalled. The suit is restored to file.

2           The counsel for the plaintiffs states that the counsel for the defendants has handed over Pay Order of Rs.1,29,42,000/- as full and final settlement of all the claims that the plaintiffs have in this suit and the plaintiffs be permitted to withdraw the suit. Suit dismissed as

withdrawn. Refund of court fees in accordance with Rules.

3           In view of the order passed today, all the Notices of Motion stand disposed and all interim orders stand vacated.

4           The counsel for the plaintiffs states that in view of the ex-parte decree passed earlier, the plaintiffs have filed Execution Application Lodging No.1485 of 2016. The counsel prays that in view of the settlement arrived at, he be permitted to withdraw the Execution Application. Execution Application dismissed as withdrawn. The interim applications in the Execution Application also stands disposed.

          The counsel for the plaintiffs states that the sole proprietor of the plaintiffs-Mr.Anil Shah is present in court and he identifies him.

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