

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

SUIT NO. 3504 OF 2007

D.B. Enterprise ...Plaintiff
Versus
Juhu Chandan Co-Operative Housing Society ...Defendants
Ltd. & Anr.

Mr. Dhaval Mehta, a/w Ms. Ankita Verma, i/b D. Mugal Associates,
for the Plaintiff.

Mr. Farhan Dubash, a/w Ms. Kauser Banatwala, i/b Mr. Tushar
Goradia, for Defendant No. 1.

Mr. Kiran Mohite, for Defendant No. 43.

CORAM : S.C. GUPTE, J.
DATE : 9th February 2016

P.C. :

1. Learned Counsel for the parties tender Consent Terms
duly signed by the parties through themselves/their authorised
representatives and also their respective Advocates.

2. By these Consent Terms, the parties seek a decree in the
Suit in terms thereof. Consent Terms seek to delete Defendants No. 2
to 42, who all are members of Defendant No. 1 Society. The

Resolution passed by these members appointing M/s. Kabra Estate & Investment Consultant as a developer for reconstruction and redevelopment of the Society's Building and also authorising the office bearers of the society to sign and execute Consent Terms and other documents to be executed in favour of new developer in pursuance thereof has been annexed to the Consent Terms. The new developer, M/s. Kabra Estate & Investment Consultant, is sought to be impleaded to the present Suit as Defendant No. 43.

3. Learned Counsel also tender Minutes of Order duly signed by the Advocates for the parties for allowing the amendment and disposal of the Suit in terms of the Consent Terms. The Minutes are taken on record and marked 'X' for identification. The draft amendments which are referred to in the Minutes are taken on record and marked 'X1' for identification. The Consent Terms signed by the parties, are marked 'X2' for identification. Statements and undertakings contained therein are accepted.

4. There will be an order in terms of Minutes, taken on record as 'X'.

5. The amendment shall be carried out forthwith.

6. The Suit is disposed of in terms of Minutes.

7. There will be no order as to costs.
8. Refund of Court fees in accordance with the applicable rules.

[S.C. GUPTE, J.]