

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

SUIT NO. 172 OF 2009

M/s. Deep Construction Co. Ltd.	.. Plaintiff
Vs.	
Jitendra N. Patel & Anr.	.. Defendants

Mr.Ajay Panickar i/b Ajay Law Associates for plaintiff.

Mr.Bhupendra Singh for defendant no.1.

CORAM : K.R.SHRIRAM, J.
DATE : 3RD MAY, 2016

P.C.

1 At the outset, the counsel for the plaintiff seeks leave to withdraw the suit as against defendant no.2.

The suit stands dismissed as against defendant no.2 as withdrawn.

2 The plaintiff and defendant no.1 have amicably settled the matter and have entered into the consent terms dated 3rd May 2016. The consent terms signed by the plaintiff, defendant No.1 and their respective advocates is taken on record and marked 'X' for identification. The statement made in paragraph 5 of the consent terms by the plaintiff is accepted as an undertaking to this Court. The rest of the undertakings given by the parties in the consent terms are accepted and so ordered.

3 The suit stands disposed in terms of consent terms.

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

(K.R. SHRIRAM, J.)