

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

**SUMMARY SUIT (L) NO.1243 OF 2014
WITH
NOTICE OF MOTION NO.2161 OF 2015**

M/s. Associated Cement Companies LimitedPlaintiff

V/s.

M/s.Klassic Construction (Gujarat) Private LimitedDefendant

Mr.Deryek Almeada for plaintiff.

Mr.A.K.Prajapati for defendant.

**CORAM : K.R.SHRIRAM,J
DATE : 20.4.2016**

P.C.:-

1 The parties have settled the matter amicably. The plaintiff has also taken out a Notice of Motion bearing No.2161 of 2015 to set aside the order dated 18.3.2015 passed by the Prothonotary & Senior Master, High Court, Bombay, rejecting the plaint under Rule 986 of the High Court (O.S) Rules and restore the suit to file.

2 Since the parties are amicably resolving the matter and in view of the explanation given in the affidavit in support, the Notice of Motion is allowed in terms of prayer clause-(a) and accordingly disposed. The suit is restored to file.

3 The consent terms signed by the Constituted Attorney of

the plaintiff, the authorized representative of the defendant and their respective Advocates dated 20.4.2016 is taken on record and marked 'X' for identification.

4 The undertaking given in the consent terms by the defendant is accepted and so ordered. The suit accordingly, stands disposed. Refund of court fees, if any, in accordance with the Rules. Notwithstanding the disposal of the suit, the plaintiff to remove all office objections and get the suit numbered within one week from today.

(K.R.SHRIRAM,J)