

JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO.198 OF 2016

Damas Jewellery LLC

... Plaintiff

Versus

D'Damas Jewellery India Pvt Ltd & Ors.

... Defendants

Mr. Zueb Cutterywala, i/b ALMT Legal for the Plaintiff.

Mr. Tushar Mittal, i/b Bharucha and Partners for the Defendants.

CORAM: G.S. PATEL, J

DATED: 25th August 2016

PC:-

1. The Suit is settled. Advocates for both sides have drawn up minutes of the order. These are taken on record and marked "Y" for identification. The parties have entered into a Settlement Agreement dated 21st July 2016. Accompanying this are two Deeds of Assignment also dated 21st July 2016. The Settlement Agreement is signed by the authorised signatory of the parties as are the two assignment deeds.

2. The three documents mentioned above, i.e. Settlement Agreement and two Deeds of Assignment are taken on record and marked "X", "X1" and "X2" respectively for identification.

3. There was an ad interim order dated 23rd December 2015. The execution of the assignment deeds is specifically agreed by the parties not to constitute a violation of that agreement. This is their

intention. I have seen the order of 23rd December 2015. Relief was granted in terms of prayer clauses (i) to (iv) of the Notice of Motion. However, since the parties have settled the entire Suit, there can be no question of the assignment deeds being said to be in violation of that order.

4. The Suit is decreed in accordance with the Settlement Agreement. Refund of Court Fees, if any, in accordance with the Rules.

5. The Notice of Motion does not survive and has become infructuous. The previous ad interim order dated 23rd December 2015, is vacated.

6. Drawn up order / decree dispensed with. However, should the parties require a drawn up order / decree for any purpose, and particularly for implementation of any of the terms of the Settlement Agreement, they will be at liberty to make that application directly to the Registry, on production of an authenticated copy of this Order, without requiring a further order of the Court.

7. The original Settlement Agreement and Deeds of Assignment are now on record. The Registry will issue certified copies of the three documents marked "X", "X1" and "X2" to both sides. All concerned to act on an authenticated copy of this Order.

(G. S. PATEL, J.)