

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

SUIT NO.1179 OF 1994

Goyal Properties Estate Pvt. Ltd.)....Plaintiff

V/s.

Ralhan Developers & Ors.)....Defendants

WITH

SUIT NO.1180 OF 1994

Goyal Properties Estate Pvt. Ltd.)....Plaintiff

V/s.

Pramod R.Ralhan & Anr.)....Defendants

Mr.Nishant Sasidharan i/by Amarendra Mishra for plaintiffs.

[Mr.Ashok Triloknath Goyal-Director of plaintiff (PW-1) present]

Mr.Sanjay Jain i/by M/s.A.V.Jain Associates for defendant no.1.

Mr.Shreepad Murthy a/w Mr.Abhishek Patil for defendant nos.2 to 6.

[Ms.V.A.Awsare, 2nd Assistant to Court Receiver a/w Mr.S.S.Toraskar, Section officer representative of Court Receiver present in Court.]

CORAM : K.R.SHRIRAM,J

DATE : 25.7.2017

P.C.:-

1 Mr.Murthy appearing for original defendant no.4 in Suit No.1179 of 1994 states defendant no.4 expired on 25.5.2015 and by his letter dated 25.7.2017 he has informed the advocate for the plaintiffs about the demise of defendant no.4 and the three legal heirs to be added. The plaintiff is granted leave to amend the plaint

forthwith. Re-verification dispensed with.

2 Mr.Sasidharan appearing for plaintiffs states the parties have amicably resolved the matter and seeks leave to withdraw both the suits.

3 Both the suits i.e., Suit No.1179 of 1994 and Suit No.1180 of 1994 stand dismissed as withdrawn. Refund of court fees in accordance with Rules.

4 Mr.Sasidharan requests that the documents which were ordered to be impounded be not impounded since the parties have settled the matter and the documents will not be needed for leading evidence.

 Mr.Jain and Mr.Murthy have no objection to return of all the documents filed in the proceedings to the advocate for plaintiffs. Therefore, registry to return all the documents in the suit to the advocate for plaintiffs upon the advocate for plaintiffs giving a photo copy of the same duly certified as true copy.

5 The Court Receiver appointed in both the suits stands discharged without passing of account.

6 Mr.Murthy makes a statement that the defendant whom he represents, will pay all charges of the Court Receiver within 4 weeks from receiving communication from the Court Receiver. Statement accepted.

7 Whatever premises are still in the possession of the Court Receiver, to be handed over to the respective parties from whom Receiver took possession. So far as defendant no.4 is concerned in Suit no.1179 of 1994, the Court Receiver to hand over the possession to the 3 legal heirs as brought on record today.

 All to act on a copy of this order duly authenticated by the Associate of this Court.

(K.R.SHRIRAM,J)