

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
NOTICE OF MOTION NO. 70 OF 2016
IN
COMMERCIAL SUIT NO. 202 OF 2016**

Sai Everest Builders & Developers & Ors ...Plaintiffs
Versus
The Ghatkopar Garden View & Ors ...Defendants

**WITH
SUO MOTO CHOW CAUSE NOTICE NO. 1 OF 2017
WITH
NOTICE OF MOTION (L) NO. 59 OF 2016
IN
COMMERCIAL SUIT (L) NO. 39 OF 2016
WITH
NOTICE OF MOTION (L) NO. 60 OF 2016
WITH
NOTICE OF MOTION NO. 76 OF 2016**

**Mr Anilkumar Patil, for the Plaintiffs.
Mr JS Kini, i/b Suresh Dubey, for the Defendant No. 1, Society.
Mr Asad Bukhari, for Defendants Nos. 3 to 5.**

CORAM: G.S. PATEL, J

DATED: 5th April 2017

PC:-

1. Sarlaben Ramniklal Shah, Mr Himanshu Ramniklal Shah, Mr Paresh Ramniklal Shah are all present in Court today.
2. The parties have executed the necessary agreements. Nothing further survives in the Motion. The Motion is disposed of.
3. The contempt notice issued against Mr Himanshu Shah is discharged. The Suo Moto Contempt Petition is also disposed of accordingly.
4. All concerned to act on an authenticated copy of this order.
5. Mr Bukhari makes a statement that in view of this, the appeal filed by his client is infructuous and that he will make necessary application for withdrawal.

(G. S. PATEL, J.)