

the Plaintiff is allowed to amend the Plaint in terms of the draft amendment, marked 'X'. Amendment to be carried out on or before 21-04-2017.

3. The learned Senior Advocate appearing for the Plaintiff seeks to withdraw the above Suit against Defendant Nos.2 and 3. The Suit against Defendant Nos.2 and 3 is disposed of as withdrawn.

4. The learned Senior Advocates appearing for the Plaintiff and the Advocate for Defendant Nos.1, 4 and 5 have now tendered Consent Terms. They submit that the Consent Terms be taken on record and the above Suit be disposed of in terms of the Consent Terms. The Consent Terms are taken on record and marked 'X-1' for identification. The Consent Terms are signed by the Plaintiff, Defendant No.4 for self and as Managing Director of Defendant No.1 and Defendant No.5. The Consent Terms are also signed by the Advocates for the parties. The undertakings recorded in the Consent Terms are accepted. Defendant Nos.4 and 5 undertake to submit to this Court within a period of three days from today a declaration cum undertaking on behalf of M/s. Lok Builders (a partnership firm where Defendant Nos.4 and 5 are the Managing Partners) declaring and confirming that the Office premises (as defined in clause 6 of the Consent Terms) of which M/s. Lok Builders are the owners, shall be liable for attachment, execution, appointment of a receiver with power to sale in the event of decree remaining outstanding after the due dates set out in clause 2 of the Consent Terms. The undertaking is accepted. The complaint

filed by the Plaintiff with the police authorities shall not be pursued until further orders. The Suit is decreed in terms of the Consent Terms, marked 'X-1' and the undertakings recorded/accepted hereinabove. Refund of Court Fees, if any, as per rules. Notice of Motion (L) No.177 of 2017 also stands disposed of. Decree be drawn up in terms of the Consent Terms, marked 'X-1'. Earlier orders to stand vacated.

(S.J.KATHAWALLA, J.)