

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

**NOTICE OF MOTION NO. 404 OF 2017
IN
COMMERCIAL SUIT NO. 500 OF 2017**

Naresh Jain and another ... Applicants/
Plaintiffs

In the matter between:

Naresh Jain and another ... Plaintiffs
Versus
Real Gem Buildtech Pvt. Ltd. and others ... Defendants

**WITH
NOTICE OF MOTION NO. 407 OF 2017
IN
COMMERCIAL SUIT NO. 501 OF 2017**

Rishi Rajani ... Applicant/
Plaintiff

In the matter between:

Rishi Rajani ... Plaintiff
Versus
Real Gem Buildtech Pvt. Ltd. and others ... Defendants.

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Mr.Cyrus Ardeshir a/w Mr. Maneck and Ms. Akshita Palvia i/b M. Mulla Associates for Plaintiffs.

Mr. Naresh Jain a/w Ms. Neeta Jain – Plaintiffs in COMS/500/2017 – present in Court.

Mr. Dinyar Madon, Senior Advocate a/w Ms. Rujuta Patil i/b Negandhi Shah and Himayatullah for Defendant No.1.

(Mr. Gopal Reddy-Authorized signatory of Defendant No.1 present in Court).

Mr. Soura Ghosh a/w Ms. D. Jani i/b Hariani and Co. for Defendant No.2.

(Mr. Mehul Katria-Authorized signatory of Defendant No.1 present in Court).

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CORAM : K R SHRIRAM, J.

DATE : 27th SEPTEMBER, 2017.

P. C. :

**NOTICE OF MOTION NO. 404 OF 2017
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1. The learned Advocates appearing for the parties have tendered Consent Terms dated 9th September, 2017. 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 signed by the two plaintiffs, the two defendants and their respective advocates is taken on record and marked 'X' for identification. The Counsel identify the signatories all of whom are present in Court. The undertakings recorded in the Consent Terms are accepted. The Suit is disposed in terms of the said Consent Terms.

2. Consent Terms that has been marked 'X' shall be kept in a sealed envelope with the office of Prothonotary and Senior Master, High Court, Bombay for a period of 9 months from the date of this order or till the execution of Agreement of Sale of said flat by the Plaintiffs, whichever is earlier.

3. Upon expiry of the aforesaid period, and upon joint request of the Advocates for the Plaintiffs and Defendant no. 1, the Prothonotary and Senior Master, High Court, Bombay shall handover the sealed envelope containing the consent terms to the Advocates.
4. Refund of Court Fees, if any, as per rules. Notice of Motion No. 404 of 2017 also stands disposed of.
5. Ad-interim/interim orders, if any, shall stand vacated.

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**NOTICE OF MOTION NO. 407 OF 2017
IN
COMMERCIAL SUIT NO. 501 OF 2017**

Stood over to 9th October, 2017.

(K. R. SHRIRAM, J.)