

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****NOTICE OF MOTION (L) NO.1070 OF 2017****IN****SUIT (L) NO.316 OF 2017**

Smile Shelters ... Applicant/Plaintiff

Versus

Rashmi Ramesh Mhatre And 2 Ors. ... Defendants

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Mr. Nikunj Mehta, Mr. Virendra Pereira, i/b. M/s. Divya Shah Associates,
for the Plaintiff.

Ms. Sayali Bhaidkar, i/b. Mr. Ashish J. Dubey, for Defendant Nos. 1 to 3.

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CORAM : S.C.GUPTE, J.**DATED : 27 JUNE 2017****P.C.:**

. Learned Counsel for the parties tender Consent Terms duly signed by the Plaintiff, the Defendants and also their respective Advocates. Learned Counsel seek disposal of the suit in terms of the Consent Terms. The Consent Terms are taken on record, marked "X" for identification, in the presence of the parties through themselves/constituted attorney. The statements and undertakings contained therein are accepted. The suit is disposed of in terms of the Consent Terms. No order as to costs. Refund of court fees in accordance with the applicable rules.

2. In view of the disposal of the suit, nothing survives in the Notice of Motion and the same is disposed of.

3. It is agreed between the parties that pending the execution of the development agreement, annexed as Exhibit-'A' to the Consent Terms, within the stipulated period as provided in the Consent Terms, the Defendants will not create any third party rights in respect of the suit property described in Exhibit-'A' to the plaint.

(S.C.GUPTE, J.)