

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL SUIT NO. 599 OF 2017

Anindo Mukherji & Anr. Plaintiffs

VERSUS

Neelkamal Realtors Towers Pvt. Ltd. Defendant

Mr.Swapnil Gupte, a/w. Mr.Ranjit Shetty, Mr.Jonathan Jose, i/b. Argues Partners for the Plaintiffs.

Mr.Rutuja Patil, a/w. Ms.Niyathi Karla, i/b.Negandhi Shah & Himayatullah for the Defendant.

CORAM : R.D.DHANUKA, J.

DATE : 16th NOVEMBER, 2017

P.C.

Learned counsel appearing for the parties have tendered consent terms dated 16th November,2017 duly signed by the plaintiffs through their constituted attorneys and also signed by the authorized signatories of the defendant. The documents including power of attorneys are annexed to the consent terms. Learned counsel appearing for the parties state that the signatories to the consent terms are duly authorized by their respective principals. Statement is accepted. Consent terms are taken on record and marked 'X' for identification.

2. Learned counsel appearing for the parties have agreed that the consent terms which are taken on record shall be kept in a sealed envelope with the Office of the Prothonotary and Senior Master, High

Court, Bombay till 31st March,2018 or earlier if the parties apply jointly before this Court for return of the consent terms.

3. Upon expiry of the aforesaid period, and upon joint request of the learned advocates of the plaintiffs and the defendant, learned Prothonotary and Senior Master, High Court, Bombay shall handover the sealed envelope containing the consent terms to the advocates jointly. Commercial Suit No.599 of 2017 is disposed of in terms of the consent terms. Refund of court fees, if any, as per rules.

4. If any interlocutory proceedings are pending, the same also stands disposed of in view of these consent terms.

5. Learned Prothonotary and Senior Master shall return the original consent terms to the parties through their advocates upon the learned advocates filing true copy of the consent terms with the Office of the Prothonotary and Senior Master duly certified as true copy.

6. The parties have agreed that the consent terms which are taken on record shall not be cited as a precedent in view of the peculiar facts and circumstances of the case and the same shall not be treated as the admission on the part of the defendant.

(R.D.DHANUKA, J.)