

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

**SUIT NO.1935 of 2008
WITH
NOTICE OF MOTION NO.2858 OF 2016**

Krishna Bokade & Ors.

....Plaintiffs

V/s.

Richie Rich Resorts Limited, Mumbai & Anr.....Defendants

Mr.Sahil Saiyed a/w Mr.Nikhil Apte i/by Wadia Ghandy & Co. for plaintiffs.

Mr.Krishna Bokade, Divya Bokade and Kiran Ahir-plaintiffs in person.

Mr.Sanjay Jain a/w Ms.Laxmi Jenavi i/by M/s.A.V.Jain & Associates for defendant no.1.

Ms.Swapna Roopavate i/by Tushar A.Goradia for defendant no.2.

Mr.Alpesh K.Ajmera-Constituted Attorney of defendant no.1 present in court.

CORAM : K.R.SHRIRAM,J

DATE : 19.6.2017

P.C.:-

1 The plaintiffs and defendants have amicably settled the matter and tender consent terms. The consent terms signed by the 3 plaintiffs, the authorized signatory of defendant no.1, the partner of defendant no.2 and their respective advocates is taken on record and marked 'X' for identification. Ms.Swapna Roopavate for defendant no.2 states that the partner of defendant no.2 Bharat Champaklal Shah who is not present in court has signed the consent terms in her presence and she identified the signature.

2 Mr.Saiyed for plaintiffs states that all the 3 plaintiffs are present in court.

 Mr.Jain for defendant no.1 states that the authorized signatory of defendant no.1 is also present in Court and identifies him.

3 Order in terms of consent terms. All undertakings accepted.

4 The counsel for plaintiffs confirm having received 3 separate pay orders in the name of each of the plaintiffs totaling to Rs.9 crores less TDS. At the same time, Mr.Saiyed clarifies that name of plaintiff no.2 Divya Bokade after marriage is Divya Bhagchandka but the pay order is issued in the name of Divya Bokade. Mr.Jain states that fresh pay order will be handed over to the plaintiffs' advocate for Rs.3 crores less TDS by 5.00 P.M. tomorrow. Undertakings accepted.

5 Sub-Registrar of assurances, Bandra is directed to strike out lispendens registered under serial no.6038 of 2008. Mr.Jain states that his instructing advocate will forward a copy of this order to Sub-registrar of assurances, Bandra for doing the needful.

6 Suit decreed accordingly in terms of the consent terms.

Refund of court fees in accordance with Rules.

All interim applications stand disposed.

(K.R.SHRIRAM,J)