

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

**SUIT NO. 2216 OF 2008
AND
TESTAMENTARY SUIT NO. 80 OF 2014
IN
TESTAMENTARY PETITION NO. 234 OF 2013**

Kshitji Shah	...Plaintiff
Vs.	
Manish S. Shah & Ors.	...Respondent

Mr.Murlidharan V.C. I/b. Joy Legal Consultant for Plaintiff in both suits.
Mr.G.B. Kedia with Manoj Agre for Defendant No.1 in S 2216/2008 and for sole Defendant in TS 80/2014.
Mr.Sushil Inamdar I/b. Madhav Jamdar for Defendant No.2 in S 2216/2008.

CORAM : S.C. GUPTE, J.

11 OCTOBER 2017

P.C. :

Learned Counsel for the parties tender consent terms between the Plaintiff and Defendant Nos.1 and 2. The consent terms are duly signed by the parties and also by their respective Advocates. Learned Counsel seek a decree in terms of the consent terms. Learned Counsel for the Plaintiff seeks leave to withdraw the suit against Defendant Nos.3 to 10. The suit is dismissed as not pressed against Defendant Nos.3 to 10. The consent terms as between the Plaintiff and Defendant Nos.1 and 2 are taken on record, marked X”for identification. The statements and undertakings contained therein are accepted. There will be a decree in terms of the consent terms. Refund of court fees in accordance with the applicable rules. The suit is accordingly disposed of.

2 In accordance with the consent terms taken on record and the decree passed in terms thereof, Testamentary Suit No.80/2014 (Testamentary Petition No.234/2014) also stands disposed of as withdrawn. Refund of court fees in accordance with the applicable rules.

3 The present order is passed in the presence of the Plaintiff and Defendant Nos.1 and 2.

(S.C. GUPTE, J.)