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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 1361 OF 2016
IN
SUIT NO. 661 OF 1984**

Muriben L Kothari & Ors	...Plaintiffs
<i>Versus</i>	
Jalentine Francis Gowania & Ors	...Defendants

Mr Amrut Joshi, with Ms Ruchita Upadhyay, i/b M/s VS Jog & Co,
for the Applicants/ Org. Defendant No. 6.

CORAM: G.S. PATEL, J
DATED: 23rd January 2017

PC:-

1. The Suit itself was disposed of by consent decree on 12th April 1993, a copy of which is at Exhibit "A". A copy of the consent terms is also annexed. The 6th Defendant/Applicant is a Society. It proposes redevelopment of its property. For this it requires that the order of 12th April 1993 and the consent terms be drawn up as a decree. Prayer (a) of this Chamber Summons is to dispense with service of the application for drawing up of a decree. The 6th Defendant has apparently have a great deal of difficulty in tracing the other Defendants.

2. What Defendant No. 6 seeks is a formality: dispensation with a formal drawing up of a decree. The amounts due under the consent terms have admittedly been paid. There is no grievance by any party against any other.

3. I see no reason why the society should have to go through all this trouble for something as innocuous as this. I will dispose of this Chamber Summons by saying only that drawn up decree is dispensed with and all concerned to act on an authenticated copy of this order.

4. Should the 6th Defendant nonetheless require a drawn up decree, it will be entitled to apply to the Registry and the decree department will act on an authenticated copy of this order and issue a drawn up decree on such application in terms of the order dated 12th April 1993 and the consent terms but without insisting on the presence or consent of the other parties to the Suit.

5. The Chamber Summons is disposed of in these terms with no order as to costs. Liberty to apply.

(G. S. PATEL, J.)