

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

**COMMERCIAL SUIT NO.226 OF 2018
WITH
COMMERCIAL NOTICE OF MOTION NO.403 OF 2018
IN
COMMERCIAL SUIT NO.226 OF 2018**

Indur Assanand Gursahani and Anr.Plaintiffs

Vs.

Moongipa Realty Private Limited and Ors.Defendants

Mr. Annuj Narula a/w. Ms. Meena Bhatta I/b. Jhangiani Narula and Associates for plaintiffs.

Ms. Neha Prakash Ramchani, plaintiff no.1(b) present.

Ms. Leena U. Borkar, plaintiff no.1(c) present.

Ms. Elizabeth K. Adaphro, plaintiff no.2 present.

Mr. Dhiren H. Shah for defendants.

Mr. Rajesh Agarwal, defendant no.3 and director of defendant no.1 present.

CORAM : K.R.SHRIRAM, J.

DATE : 13th DECEMBER 2018

P.C.:

1 At the outset, by consent, chamber order (lodging) no.1504 of 2018 and chamber order (lodging) no.1505 of 2018 are allowed and accordingly disposed.

2 The name of original plaintiff no.1 be deleted and applicants names to be brought on record as plaintiff nos.1(a), 1(b) and 1(c). Amendment to be carried out forthwith.

3 Mr. Narula seeks leave to withdraw the suit as against defendant nos.2,4,5,6 and 7.

4 Suit dismissed as withdrawn as against defendant nos.2,4,5,6 and 7. Amendment to be carried out forthwith.

5 Plaintiffs and defendant nos.1 and 3 have entered into settlement and tendered consent terms dated 13th December 2018. The consent terms signed by plaintiff nos.1(a), 1(b), 1(c), 2, defendant nos.1 and 3 and their respective advocates is taken on record and marked “X” for identification. Mr. Narula and Mr. Shah state that plaintiffs, director of defendant no.1, who is also defendant no.3, are present in Court and identify them. Plaintiff no.1(a) is not present in Court as she is of advanced age and Mr. Narula confirms that plaintiff no.1(a) has signed the consent terms in his presence and he identifies the signature.

6 Order in terms of the consent terms. All undertakings given in the consent terms are accepted and so ordered.

7 Suit stands decreed in terms of the consent terms. Refund, if any of court fees in accordance with rules. Notice of motion no.403 of 2018 also stands disposed.

8 All to act on authenticated copy of this order.

(K.R. SHRIRAM, J.)