

psv

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

**APPEAL NO.127 OF 2017
IN
TESTAMENTARY SUIT NO.225 OF 2015
WITH
NOTICE OF MOTION NO.564 OF 2017**

Mr.Freddy Dinshaw Birdy	...Appellant(org.Defendant)
Vs.	
Rustom Minoo Seth	...Respondent(org.Plaintiff)

Mr.Pankaj Parsurampuriah for Appellant/org.Defendant.
Mr.Nitin Thakkar, Senior Advocate, with Mr.Tejas Vora i/b. Mr.G.K.
Vora and Mr.D.R. Mishra for Respondent/org.Plaintiff.

**CORAM : NARESH H. PATIL AND
G.S. KULKARNI, JJ.**

DATE : 12th APRIL 2018

P.C.:

The learned Senior Counsel appearing for the respondent presented the Consent Terms dated 12th April 2018 signed by the contesting parties who are present in Court. The learned Counsel for the plaintiff and the learned Counsel for the defendant have also signed the Consent Terms. The learned Counsel for the parties have identified the signatures of their respective parties. The consent terms are drawn

in 12 paragraphs running into 7 pages. The Consent Terms are taken on record and marked “X” for identification. The learned Counsel for the contesting parties presented before us Minutes of the order dated 12th April 2018.

2. We have perused the Consent Terms and the Minutes of the Order.

3. It is submitted that the plaintiff and defendant are present in Court. Both the learned Counsel for the parties submit that the appeal be disposed of in terms of the Consent Terms and the Minutes of the Order. On enquiry, the parties submitted that they have reached settlement in accordance with Consent Terms drawn.

4. The appeal is disposed of in terms of the Consent Terms. We appreciate the efforts put in by the learned Counsel appearing for the parties and the parties too.

5. In view of disposal of the appeal, notice of motion does not survive. It is disposed of accordingly.

6. Prothonotary and Senior Master, High Court, Bombay, to accept the amount of Rs.2,00,00,000/- (Rs. Two Crores only) on receipt of a copy of the order duly authenticated by the Associate of this Court.

[G.S. KULKARNI, J.]

[NARESH H. PATIL, J.]