

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

**SUMMONS FOR JUDGMENT NO. 27 OF 2017
IN
COMMERCIAL SUMMARY SUIT NO. 188 OF 2016
WITH
COMMERCIAL SUMMARY SUIT NO. 188 OF 2016**

Tushar Fabrics Pvt. Ltd., ... Applicant.

In the matter of :
Tushar Fabrics Pvt. Ltd., ... Plaintiff.

V/s.
Etco Denim Pvt. Ltd., ... Defendant.

Mr. Hiten Soni, Advocate i/by Hiten Soni & Associates for the
Applicant / Plaintiff.

Mr. Rahul Sarda, Advocate, Ms. Sophia Pinto i/b HKS Legal for
the Defendant.

CORAM : S. C. GUPTE, J.

DATE : APRIL 24, 2018

P.C.

1 Learned counsel appearing for the respective parties inform the Court that in a connected company petition (Company Petition No 28 of 2014), they have arrived at Consent Terms and have recorded a settlement before the Appellate Court. The said terms of settlement include a settlement of the present dispute which forms the subject matter of the Commercial Suit herein.

2 In view of the Consent Terms filed before the Appellate Court in Appeal No. 78 of of 2015 in Company Petition No. 28 of 2014, learned counsel for the parties request this Court to pass an order in the present matter by disposing of the Summons for Judgment and the Suit in terms of the said Consent Terms, a copy of which is tendered before this court and kept on record and marked “X” for identification. The statements and undertakings contained therein are accepted.

3 In the light of the above, the Summons for Judgment No. 27 of 2017 with Commercial Suit No. 188 of 2016 stand disposed of in terms of the aforesaid Consent Terms.

4 No order as to costs. Refund of the court fee shall be as per the Rule.

(S. C. GUPTE, J.)

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