

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

CHAMBER SUMMONS NO.602 OF 2010

IN

SUIT NO.1461 OF 1992

Tirupati Balaji Enterprises and Anr.Applicants

IN THE MATTER BETWEEN :

Trevor Joseph Harold and Anr.Plaintiffs

Vs.

A.A. Farms and Ors.Defendants

Mr. P.A. Jani I/b. Vigil Juris for plaintiffs.

Mr. Raj Patel I/b. Mahendra Patel and Associates for defendant nos.4 and 5/
applicant.

Ms. R.U. Karunaka, Assistant Section Officer/Representative of Court
Receiver present.

CORAM : K.R.SHRIRAM, J.

DATE : 28th AUGUST, 2018

P.C.:

1 The counsel for plaintiffs and defendant no.5/applicant
tendered minutes of order dated 28th August 2018 which is taken on record
and marked "X" for identification.

2 Order in terms of minutes of order which reads as under :

**MINUTES OF ORDER IN CHAMBER SUMMONS
BETWEEN PLAINTIFF AND DEFENDANT NO.5**

1) By consent of plaintiffs and defendant no.5 the chamber summons is
disposed of in terms of this minutes.

2) The chamber summons is made absolute in terms of prayer (a) of
the chamber summons.

3) The Court Receiver High Court Bombay is directed to fix fresh
royalty amount payable by defendant no.5 for suit property as the
Agent of Court Receiver.

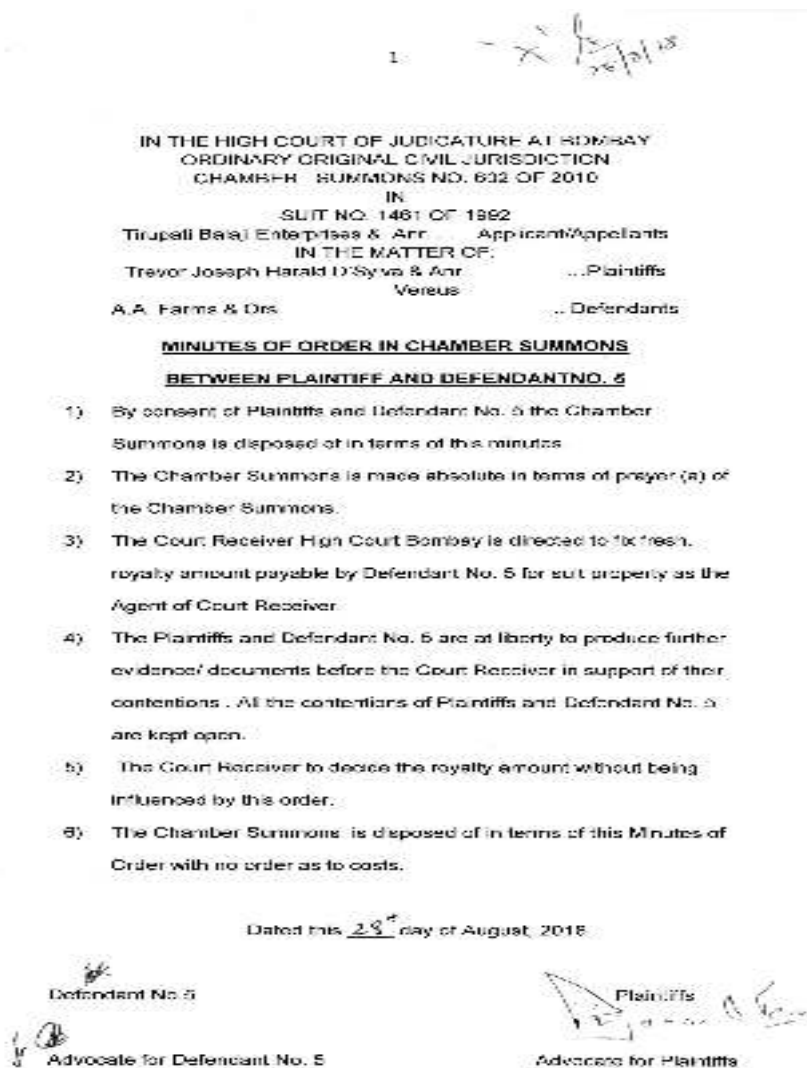
4) The plaintiffs and defendant no.5 are at liberty to produce further
evidence/documents before the Court Receiver in support of their
contentions. All the contentions of plaintiffs and defendant no.5 are

kept open.

5) The Court Receiver to decide the royalty amount without being influenced by this order.

6) The chamber summons is disposed of in terms of this minutes of order with no order as to costs.

3 For convenience, a scanned copy of the minutes of order is also reproduced hereinbelow :



4 Chamber summons accordingly stands disposed.

5 Mr. Jani, counsel for plaintiffs states that issues are yet to be settled in this suit.

6 Stand over to 3rd September 2018 for issues on which date parties to come with agreed draft issues and a separate list of issues on which they are unable to agree.

7 Affidavit of documents to be filed and copy served within one week from today. Discovery and inspection to be completed and statement of admission and denial with reasons for denial to be exchanged by 21st September 2018.

8 It is made clear that if the affidavit of documents is not filed or inspection is not given, none of the parties will be allowed to rely on any document apart from those documents which are annexed to the plaint or written statement or mentioned in the list of documents annexed thereto.

Gauri
Amit
Gaekwad
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signed by
Gauri Amit
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Date:
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(K.R. SHRIRAM, J.)