

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

**SUMMONS FOR JUDGMENT NO. 60 OF 2014
IN
SUMMARY SUIT NO. 66 OF 2013**

Anthony Maharaj
Vs.
The Official Liquidator,
High Court, Bombay of Insight Productions
Pvt.Lktd. (In liquidation) & Ors.

...Plaintiff/Applicant

...Defendants

Mr.Rahul Narichania with Rupali Sharma, Santosh Mishra, Sidhanth Chabria I/b. Kochhar & Co. for Plaintiff.
Mr.Vivek Kantawala with Amey Patil I/b. Vivek Kantawala & Co. for Defendant Nos.2 and 4.
Mr.Cyrus Ardeshir I/b. Raksha Tanna for Defendant Nos.5 to 7.

CORAM : S.C. GUPTE, J.

DATE : 26 FEBRUARY 2018

P.C. :

Learned Counsel for parties tender consent terms as between the Plaintiff and Defendant Nos.2 and 4 duly signed by the parties either through themselves or their authorized representatives and also their respective Advocates. The consent terms provide for payment in full and final settlement of the Plaintiff's claim in the manner provided therein. Learned Counsel seek disposal of the suit as between the Plaintiff and Defendant Nos.2 and 4 in terms of the consent terms.

2 The parties, i.e. the Plaintiff and Defendant Nos.2 and 4 and 5 to 7, also tender Minutes of Order signed by their respective Advocates for disposal of the suit as between them. The Minutes *inter alia* provide for recognition of earlier payment made by Defendant Nos.5 to 7 to the

Plaintiff and their undertaking to make further payment to the Plaintiff as provided therein. The Minutes also provide that in case of default, the suit shall be decreed against Defendant Nos.5 to 7 for an amount of USD 8,000 together with interest as stated therein. As far as Defendant Nos.2 and 4 are concerned, the Minutes reiterate what I have observed above and contain further directions concerning completion of the payment referred to therein. Further undertakings on the part of both Defendant Nos.2 and 4 and Defendant Nos.5 to 7 are also contained in the Minutes.

3 The Plaintiff does not press his suit against Defendant No.3.

4 The consent terms between the Plaintiff and Defendant Nos.2 and 4 are taken on record, marked "X" for identification. The statements and undertakings contained therein are accepted. The suit as between the Plaintiff and Defendant Nos.2 and 4 is disposed of in terms of the consent terms.

5 There will also be an order in terms of the Minutes dated 26 February 2018 disposing of the suit as between the Plaintiff and Defendant Nos.5 to 7 and also containing undertakings/directions against the Plaintiff and Defendant Nos.2 and 4.

6 The suit is dismissed as withdrawn against Defendant No.3.

7 No order as to costs.

8 Certified copy expedited.

(S.C. GUPTE, J.)