

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

SUIT NO. 3021 OF 2006

Prabhakar Shanku Shetty & Ors.	...Plaintiffs
vs.	
Ramesh Amarnath Malhotra & Ors.	...Defendants

Mr.Vini Joshi I/b. Chitnis Vaithy & Co. for Plaintiffs.
Ms.Deepa Pohiya for Defendant Nos.1(a) and 1(b).

CORAM : S.C. GUPTE, J.

DATE : 2 NOVEMBER 2018

P.C. :

Mentioned. Not on board.

2 The suit is brought on before me, since the learned Judge, who holds the assignment for the suit, has removed the matter from the board as he would not be able to take it up.

3 Learned Counsel for the parties submit that the parties have arrived at consent terms so as to compromise the suit by a decree in terms of the consent terms. At the stage of filing of the consent terms, Defendant No.1 has passed away. His heirs are sought to be brought on record as Defendant Nos.1(a) to 1(b), by consent. So also, Plaintiff Nos.3, 4 and 5, with whom Defendants *inter alia* have arrived at these consent terms, are sought to be joined to these consent terms. Appropriate provisions to that effect have been made in the consent terms. The consent terms signed by the parties and their respective Advocates, are taken on record, marked "X" for identification. The statements and undertakings contained therein are

accepted. There will be a decree in terms of the consent terms. No order as to costs. Refund of court fees in accordance with the applicable rules.

4 Learned Advocates respectively appearing for the Plaintiffs and Defendants file their respective vakalatnamas for the newly added Plaintiffs and Defendants.

5 The decree is passed in the presence of all parties.

(S.C. GUPTE, J.)