

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

**COMMERCIAL EXECUTION APPLICATION NO.1 OF 2015
IN
SUMMONS FOR JUDGMENT NO.95 OF 2012
IN
SUMMARY SUIT NO.2449 OF 2011**

Noble Resources & Trading India Pvt. Ltd.)....Applicant/Plaintiff
V/s.
M/s.Shree Satpuda Tapi Parisar Sahakari)
Sakhar Karkhana Ltd. & Ors.)....Defendants

Ms.Silpa Nair I/by Tri Legal for applicant.
[Mr.Girish Koulgi-director of the applicant present].
Mr.Ajay Khaire a/w Mr.R.Basu I/by M/s.The Law Point for defendants.
[Mr.P.R.Patil-Managing Director of respondent present in Court].

**CORAM : K.R.SHRIRAM,J
DATE : 19.12.2018**

P.C.:-

1. Parties have amicably settled the matter and entered into consent terms dated 19.12.2018. The consent terms signed by defendant no.3 for himself and as director of defendant no.1 and the director of plaintiff, and their respective advocates, is taken on record and marked 'X' for identification. Counsel state that the signatory of plaintiff and of defendants are present in court and identify them.
2. Order in terms of consent terms. All undertakings accepted.
3. Prothonotary & Senior Master, High Court, Bombay, is directed to pay to plaintiff sum of Rs.2 crores deposited by defendant

no.1 in this Court together with accumulated interest under advise to defendants' Advocate.

4. Defendant no.3-P.R.Patil personally undertakes to this Court that the balance amount of Rs.26,00,000/- minus interest component from Rs.2 crores will be paid by defendant no.1 on or before 28.12.2018. The personal undertaking of Mr.P.R.Patil in addition to the undertaking recorded in the consent terms, is accepted.

5. If for any reason, this balance amount is not paid, plaintiff to execute this order along with consent terms as decree against defendant no.1 and defendant no.3.

6. At the request of plaintiff, suit as against defendant no.2 stands dismissed as withdrawn.

7. All to act on authenticated copy of this order.

8. Commercial Execution Application accordingly stands disposed. Pending Chamber summons stands disposed. All interim orders stand vacated.

(K.R.SHRIRAM,J)