

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

**SUIT NO.423 OF 2015  
WITH  
NOTICE OF MOTION NO.1494 OF 2015**

|                              |     |            |
|------------------------------|-----|------------|
| Jaywant Industrial Premises  |     |            |
| Co-op Society Ltd And Others | ... | Plaintiffs |
| Versus                       |     |            |
| M/s. B.D. Jogani & Co.       |     |            |
| And Another                  | ... | Defendants |

Ms. Bindi Dave a/w Mr. Raghav Gupta and Mr. Kaashish Mainkar I/b Wadia Ghandy & Co. for the Plaintiffs.  
Gauri Sakhardande a/w Ms. Kausar Banatwala, Devul Dighe I/b. Tushar Goradia for the Defendants.

**CORAM : S.C.GUPTE, J.**

**DATE : 25 OCTOBER 2018**

P. C. :

. Learned Counsel for the Plaintiffs moves a draft amendment seeking to add four defendants as Defendant Nos.3 to 6 and also make appropriate consequential modifications in the plaint. Learned Counsel for the Defendants has no objection to the amendment being allowed. Accordingly, the Plaintiffs are permitted to amend the plaint in terms of the draft amendment handed in and taken on record, marked 'X' for identification.

2      Learned Counsel for the parties, including the newly added  
defendants, tender Consent Terms duly signed by the parties, either by  
themselves or their authorized signatories and also by their respective

Advocates. All parties, who have signed consent terms, are present in court. Learned Counsel seek disposal of the Suit in terms of the consent terms. Consent Terms are taken on record, marked 'X-1' for identification. The statements and undertakings contained therein are accepted. The Suit is disposed of in terms of the consent terms. No order as to costs.

3 Refund of court fees in accordance with the applicable rules.

4 In view of the disposal of the Suit, the Notice of Motion does not survive and the same is also disposed of.

**(S.C. GUPTE, J.)**