

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

COMMERCIAL SUMMARY SUIT NO. 39 OF 2010

MIRC Electronics Ltd.	...	Plaintiff
Versus		
M/s. J.P. Electronics & Ors.	...	Defendants

Mr. C.N. Chavan for the Plaintiff.
Mr. Menal Shah for Defendant Nos.1 to 3.
Mr. Darshan Juikar for Defendant No.4.
Mr. Abhishek Saboo, Defendant No.4, present in person.

CORAM : R.I. CHAGLA, J.

DATED : 18th SEPTEMBER, 2019.

P.C. :

1 The parties have arrived at a settlement in the above Commercial Summary Suit. The consent terms are tendered and are taken on record and marked “X” for identification.

2 The confirming party is present in Court and his presence is noted.

3 The consent terms are executed between the Plaintiff and the Defendants. One Mr. Abhishek Saboo, who is the employee of the Plaintiff has also signed the consent terms as a confirming party. The learned Counsel for the Plaintiff states that he will join Mr. Abhishek Saboo as a Defendant and the amendment shall be carried out forthwith.

4 Permission is granted to the Plaintiff to carry out the amendment in the cause title of the Plaint by joining Mr. Abhishek Saboo, which amendment shall be carried out forthwith. There is an undertaking in Clause 9 of the consent terms which is treated as an undertaking to this Court.

5 In clauses 16 and 17 of the consent terms the proceedings mentioned therein have been agreed to be withdrawn by the Plaintiff and the Plaintiff undertakes not to prosecute these proceedings.

6 In clause 18 of the consent terms it agreed that the Defendant shall withdraw the complaint pending before the 26th Metropolitan Magistrate Court, Borivali, Mumbai, against the Plaintiff and its then sales staff/representatives and that the Defendants undertakes not to pursue the matter.

7 The undertakings in clauses 16, 17 and 18 are treated as undertakings to this Court and are accepted.

8 The Commercial Summary Suit is accordingly disposed of in terms of the consent terms.

9 The Plaintiff shall be entitled to refund of Court fees as per applicable rule. This order shall be treated as the application for refund of Court fees.

(R.I. CHAGLA, J.)