

Dixit

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL SUIT NO.1248 OF 2018

ALONG WITH

NOTICE OF MOTION (LODGING) NO.743 OF 2018

Vira Realspace LLP

....Plaintiff-Applicant

V/s.

Gaurav Investment and Ors.

....Defendants

Mr. Siddhesh Suresh Bhole, with Mr. Royden Fernandes, for the Plaintiff-Applicant.

Mr. Prakash Shah, with Mr. Jas Sanghavi, i/by PDS Legal, for Defendant Nos.1 and 2.

Ms. Dhruti Kapadia, with Mr. D.S. Shingade, for Defendant No.3.

CORAM : A.K. MENON, J.

DATED : 24TH SEPTEMBER, 2019.

P.C. ,

1. On behalf of the plaintiff-applicant, it is submitted that a settlement has been arrived at between the plaintiff and defendant nos.1 and 2. In view of the settlement arrived at between plaintiff and defendant nos.1 and 2, the plaintiffs states that they do not seek any relief against defendant nos.3 and 4. Accordingly, Mr.Bhole seeks to delete the names of defendant nos.3 and 4 from the array of parties.

2. Leave granted to delete defendant nos.3 and 4 from the array of parties. Amendment to be carried out on or before 27th September 2019.

3. Mr. Shah and Mr. Bhole tender consent terms executed on behalf of the plaintiff through a designated partner, the 1st defendant, through its partner and the 2nd defendant, through its Director.

4. Subject to carrying out the amendment as above, the suit is disposed in terms of the consent terms signed by the aforesaid parties and their Advocates and marked as "X" for identification. The undertakings given in the consent terms are accepted.

5. In view of disposal of the suit, the Notice of Motion (Lodging) No.743 of 2018 does not survive and the same is disposed as infructuous. Refund of court fee as per rules.

(A.K. MENON, J.)