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

SUIT NO.2714 OF 2007

Nivedita Athani ... Plaintiff.

V/s.

Nandkumar Kushe and ors ... Respondents

Mr. Pradeep Sancheti, Senior Advocate a/w Vinod Kothari
i/by Apex Law Partners, for the plaintiff.

Ms. Yogini D. Gala, for defendant Nos. 2 and 8.

Ms. Komal B. Shah, for defendant Nos. 14 and 15.

Ms. Simeen Shaikh a/w Ms. Priyanka Gharge, i/by Simeen
Shaikh, for defendant No.17.

Mr. Harihar Bhav, i/by Bhav & Co., for defendant Nos. 9
to 13.

Constituted Attorney of plaintiff Mr. Chandan Athani,
Defendant Nos. 2, 14 and 15 present.

CORAM : N. J. JAMADAR, J.

DATE : 20th December, 2019.

PC. :

1] Heard the learned counsels for the parties.

2] It is submitted that during the pendency of suit, the plaintiff and
defendant Nos. 2 and 8, who are principal contesting defendants, have
arrived at an amicable settlement. It is further submitted that defendant

Nos.14 and 15, who had laid claim over the subject flat bearing No.404 admeasuring 669 sq. feet, have given up their claim over the said flat. The dispute is, thus, resolved by and between the plaintiff, defendant Nos. 2 & 8, and defendant No.14 and 15.

3] The parties have tendered the Consent Terms. The Consent Terms are taken on record and marked "X". The constituted attorney of plaintiff, Mr.Chandan Athani, is present. Defendant No.2, who claims to be the Managing Partner of defendant No.8, defendant Nos. 14 and 15 are also present before the Court.

4] The plaintiff's constituted attorney, defendant No.2, defendant Nos. 14 and 15 submit that they admit to the contents of the Consent Terms and the Consent Terms bear their signatures. The parties are identified by their respective counsels.

5] The undertaking made by the parties in the Consent Terms are accepted as undertaking to the Court.

6] The learned counsel for the plaintiff, on instructions, seeks leave to withdraw the suit against rest of the defendants.

7] Leave granted.

8] The suit, thus, stands disposed of in accordance with the Consent Terms.

9] The decree be drawn in accordance with the Consent Terms. The

Consent Terms shall form part and parcel of the decree.

10] The plaintiff is entitled to Court Fee refund in accordance with the Rules.

11] In view of disposal of the suit, the Chamber Summons No.1211 of 2012, does not survive and it is accordingly disposed of.

[N. J. JAMADAR, J.]