

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.1107 OF 2016
IN
SUIT NO.845 OF 2014

Mr. Soli Motafram & Anr. ...Applicants

IN THE MATTER BETWEEN

Darayus Shapur Broacha ...Plaintiff

V/S.

M/s. Pirojbai (Pillod) Dadabhoy
Broacha & Ors. ...Defendants

Mr. F.E. Devitre, Sr. Counsel & Mr. D.N. Vyas i/b. Mr. Dharmesh Jain for Applicant in NMS/1107/2016.

Mr. Clive D'souza for Plaintiff.

Mr. Satyan N. Vaishnav a/w. Ms. Nupur J. Mukherjee, Rahul Raut i/b. M/s. N.N. Vaishnawa & Co. for Defendants.

Mr. N.A. Bandodkar, 2nd Assistant to Court Receiver is present.

CORAM : B. P. COLABAWALLA, J.
DATED : 17th SEPTEMBER, 2019.

P.C.

1. This Notice of Motion was filed by the Applicants claiming certain rights in flat No.4 in Block G-1, Shahpur Baug, V.P. Road, Mumbai 400 004. The Applicants were not parties in the above suit. The above suit has already been disposed of by Order dated 16.09.2019 under which the disputes between the Plaintiff and the Defendants in the suit were settled by filing consent terms dated 06.09.2019. Today when this matter was

called out, the Applicants as well as the Plaintiff and Defendants have filed consent terms to resolve the claim made by the Applicants in the above Notice of Motion. The consent terms dated 17.09.2019 are duly signed by the Applicant No.1 for himself as well as for Applicant No.2 as her constituted attorney. Similarly, the consent terms have been signed by the Plaintiff as well as all the Defendants. The consent terms have also been signed by their respective advocates. The Applicant No.1, the Plaintiff as well as Defendant Nos.2 and 3 are also present in Court. They have stated on oath that they have signed this consent terms of their own free will the advocate for the Applicants as well as the advocates for the Plaintiff and Defendants also identify the signatures of their respective clients.

2. In these circumstances, the consent terms dated 17.09.2019 are taken on record and marked "X" for identification. All undertakings in the consent terms, if any, are accepted. The above Notice of Motion is disposed of in terms of the consent terms. No Order as to costs.

(B. P. COLABAWALLA, J.)