

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
SUMMONS FOR JUDGMENT NO. 118 OF 2018
IN
COMM SUMMARY SUIT NO. 890 OF 2017**

Selot Marketing Pvt Ltd	...Plaintiff
<i>Versus</i>	
Hover Automotive India Pvt Ltd	...Defendant

Ms Divya Bahl, *with Peppino Bahl, i/b Law Offices of Divay Bahl, for the Plaintiff.*

Ms Salonee Kulkarni, *Shardul Amarchand Mangaldas & Co, for the Defendants.*

CORAM: G.S. PATEL, J
DATED: 8th March 2019

PC:-

1. Although the matter is listed for filing Consent Terms, by consent, it is taken up for final disposal.

2. The suit is settled. It seems that the Plaintiff had earlier filed Company Petition No. 1309 of 2015 in which this Court, after considering the rival submissions made a conditional order that required the Respondent (present Defendant) to deposit Rs. 82 lakhs within a specific period. The Defendant has done so. This

amount lies today to the credit of this suit and I believe is presently invested.

3. The parties are now agreed that the Plaintiff will be at liberty to withdraw the entire amount deposited with all accrued interest and that the Defendant will have no claim whatsoever in regard to that deposit or the interest that has accrued due on that date. This statement is accepted. It is made by the learned Advocate for the Defendant on instructions.

4. Liberty to the Plaintiff to apply immediately on production of an authenticated cop of this order for withdrawal of the entire amount of Rs.82 lakhs and all accrued interest up to date.

5. On these submissions, both Summons for Judgment and the Commercial Summary Suit are allowed to be withdrawn and are dismissed as withdrawn.

6. Refund of Court fee, if any, in accordance with the Rules.

7. All concerned will act on an authenticated copy of this order.

(G. S. PATEL, J)