

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM SUIT NO. 28 OF 2007**

Fermenta Biotech Limited ...Plaintiff

Versus

Standard Oil Additives Private Limited &
anr. ...Defendants

Mr. Akshay Patil, a/w Varun Satiya and Pratyusha Panchgani,
i/b Crawford Bayley & Co., for the Plaintiff.

Mr. Shrikant Sharma, Representative of the Plaintiff, present.

Mr. Rahul Narichania, Senior Counsel, a/w Ms. Smriti Jha,
i/b Mulla & Mulla & C.B.C. for the Defendants.

Mr. G. S. Rao and Mr. Jairaj, Representative of the
Defendants, present.

CORAM: N. J. JAMADAR, J.

DATED : 27th JANUARY, 2020

PC:-

1. Not on board. Upon mentioning, in view of urgency, taken on board.

2. Mr. Patil, the learned Counsel for the plaintiff and Mr. Narichania, the learned Senior Counsel for the defendants submit that during the pendency of the suit the parties have arrived at an amicable settlement and have resolved the dispute. The parties have also executed the Consent Terms.

3. The Consent Terms are tendered on the record of the Court.

4. The Consent Terms record that the defendants have paid to the plaintiff a sum of Rs.80,00,000/- by way of Demand Draft

bearing No.876179, dated 27th January, 2020 in full and final settlement of the claim of the plaintiff against defendant nos.1 and 2.

5. The Consent Terms are signed by the plaintiff, defendant no.1 and defendant no.2.

6. Mr. Shrikant Sharma, the authorised signatory of the plaintiff, who has signed and verified the plaint, is present before the Court. Mr. G. S. Ravi, defendant no.2 and the authorised signatory of defendant no.1, is also present before the Court. Mr. Sharma and Mr. Ravi admit the contents of the Consent Terms and their signatures thereon. They are identified by the learned Counsels for the respective parties.

7. The Consent Terms are taken on record and marked 'X' for identification.

8. The undertakings given by the respective parties in the Consent Terms are accepted as the undertakings given to the Court.

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

10. The plaintiff is entitled to the refund of court-fees, if any, as per the rule.

[N. J. JAMADAR, J.]