

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

SUIT NO.169 OF 2014

Kalyani Forge Ltd. .. Plaintiff

Vs.

Cosco Shipping Co. Ltd. & Ors. .. Defendants

ALONG WITH

COUNTER CLAIM NO.15 OF 2015

IN

SUIT NO.169 OF 2014

Townley Group International Pty. Ltd. .. Applicant-Def.No.3

In the matter between

Kalyani Forge Ltd. .. Plaintiff

Vs.

Cosco Shipping Co. Ltd. & Ors. .. Defendants

Mr. A.M. Vernekar, with Mr. Hemant Narichania, i/by Narichania & Narichania, for the Plaintiff.

Mr. Keanan Nagporwala, i/by Kochhar & Co., for Defendant No.3.

CORAM : A. K. MENON, J.

DATE : 21ST JUNE, 2021.

[THROUGH VIDEO CONFERENCE]

P.C. :

1. Mr. Vernekar appearing on behalf of the plaintiff states that the plaintiff and defendant no.3 have arrived at a settlement. The suit as between plaintiff and defendant nos.1 and 2 has already been disposed vide order dated 29th October 2013. The signed consent terms are before the court. Mr. Vernekar has identified the plaintiff's signatory, who is also present on

this video conference hearing and has confirmed execution of the consent terms.

2. Mr. Nagporwala, learned counsel appearing on behalf of defendant no.3 states that the constituted attorney of defendant no.3 has signed the consent terms. He identified the signature of Mr. Keyur Gandhi, signatory of the 3rd defendant, who is present on this video conference hearing and has confirmed having executed the consent terms.

3. Accordingly, at the request of the parties and in view of the parties having arrived at a settlement in terms of the consent terms, both the learned counsel seek disposal of the suit and counter claim. Accordingly, I pass the following order :-

- (i) Suit is disposed in terms of the consent terms arrived at between the plaintiff and defendant no.3, which are taken on record and marked "X" for identification.
- (ii) Refund of court fees in the Suit and in the Counter Claim, if any, as per rules.
- (iii) Prothonotary and Senior Master to act in terms of clause 5 of the consent terms.
- (iv) Suit and Counter Claim is disposed in terms of the consent terms.
- (v) Interim Application/s, if any, shall also stand disposed.

(A. K. MENON, J.)