

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

COMMERCIAL SUIT NO.340 OF 2015

Tabrakullah Khan Abdul Naiem

.. Plaintiff

v/s.

Twin Developers & Ors.

.. Defendants

**WITH
NOTICE OF MOTION NO.2107 OF 2019
WITH
NOTICE OF MOTION NO.98 OF 2015**

Mr. Bharat Joshi for the plaintiff.

Mr. Gobinda C. Mohanty i/b. Mohanty & Associates for the defendants.

CORAM : A. K. MENON, J.

DATED : 9TH FEBRUARY, 2021.

P.C. :

Called for filing consent terms.

1. The learned counsel for the parties state that the dispute in the suit has been settled amicable. They seek to file consent terms signed by the plaintiffs and by defendant no.1 represented by defendant nos.1(a), 1(b), 3, 6, 7 and 8. The plaintiff seeks to withdraw the suit against defendant nos.2(a), 4(a), 5 and 9.
2. The plaintiff and defendant no.8 are present. The others are not present since Mr. Mohanty submits that they are very aged and

they are unable to attend the court. He has identified the signatures of those defendants. They have no objection to the suit being disposed.

3. In view of the above and all the signatories have been identified and the presence of plaintiff and defendant no.8, I pass the following order;

(i) Suit is disposed as withdrawn in terms of the consent terms.

(ii) Suit is allowed to be withdrawn as against defendant nos.2(a), 4(a), 5 and 9.

(iii) All interim applications stand disposed.

(iv) Refund of court fees, if and, as per rules.

(v) The decree shall be drawn up in terms of the drafts to be lodged within four weeks from today.

(A. K. MENON, J.)