

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

COMMERCIAL SUMMARY SUIT NO. 15 OF 2006

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Ameya Developers Private Limited ... Plaintiff

vs.

PBA Infrastructur Ltd. ...Defendant

Mr. Anoop Sharma a/w. Ms. Ujwala Kamat for plaintiff.
Ms. Prachi Khandage i/b M.M. Vashi for defendant.

CORAM : N. J. JAMADAR, JJ.

DATE : 7th OCTOBER , 2021

P.C.:

1. Heard Mr. Sharma, the learned counsel for the plaintiff and Ms. Khandage, the learned counsel for the defendant.
2. The learned counsel for the plaintiff, on instructions, seeks leave to withdraw the suit unconditionally.
3. Leave as prayed for is granted.
4. The suit stands dismissed as withdrawn.
5. Court fees refund be made as per rules.
6. The learned counsel for the parties invited the attention of the Court to the orders passed in Appeal (Lodg.) No. 826 of 2015 in Summary Suit No. 499 of 2006 dated 30th October 2015 and 6th April 2016. By the latter order, the Appeal came to be disposed of, subject to the directions to deposit the amount and furnish security by the

defendant. It is submitted that the defendant has deposited the amount and furnished the security and an undertaking to keep the security valid till the disposal of the suit.

7. In view of the disposal of the suit, the amount which has been deposited by the defendant alongwith interest accrued thereon be refunded to the defendant. The security furnished by the defendant stands discharged and the defendant stands relieved of the undertaking as well.

8. Registry to return the instrument furnished by the defendant by way of security.

9. The Registry shall also intimate the concerned authorities about the discharge of security.

10. All concerned shall act on an authenticated copy of this order.

(N. J. JAMADAR, J.)