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

SUIT NO.94 OF 2022
WITH
INTERIM APPLICATION NO.1988 OF 2020

J.M. Financial Credit Solutions Ltd. ...Plaintiff

Versus

Bank of India Amrut Tara Staff CHS Ltd. & Anr. ...Defendants

Mr. Vishal Jathar, i/b. Dhaval Vussonji and Associates for the Plaintiff.

Mr. Deepak Singh, i/b. S.L. Partners for Defendant No.1.

Viraj Gami i/b. DSK Legal for Defendant No.2.

CORAM : R.I. CHAGLA J

DATE : 28TH APRIL, 2022

ORDER :

1. The learned Advocate appearing for the Plaintiff has sought leave to withdraw the Suit No.94 of 2022 on the ground that the matter has been settled in separate proceedings being Commercial Arbitration Petition No.473 of 2020 in terms of the Consent Terms filed therein. In Clause 24 of the Consent Terms, the Plaintiff herein has agreed to make an application for unconditional withdrawal of the Suit No.94 of 2022 before this Court within 15 days of execution / filing of the Consent Terms.

2. In view thereof, the Suit is disposed of as withdrawn.
3. The Interim Applications, if any, do not survive and are disposed of as infructuous.
4. Court fees are to be refunded in accordance with the Rules. For the purposes of Section 43 of the Maharashtra Court Fees Act and the proviso to that Section, today's date is the date of making a claim for repayment. The Prothonotary & Senior Master will issue a certificate for a refund of Court Fees computed according to the Rules. He will act on production of an authenticated copy of this order without requiring a separate application.

[R.I. CHAGLA J.]