

SUIT NO. 843 OF 2019

Versus

Uday Indukumar Jasani and Ors. ... Respondents

Nitesh Menon a/w Advocate Simran Nagi i/b Divya Shah
Associates for the Appellants.

Sanjay Kadam a/w Sanjeel Kadam, Sayli Rajpurkar i/b Kadam and Co. for Respondents Nos. 1 and 2.

Mr. Jigar Parmar i/b Khaitan and Co. for the Respondents
Nos. 12 & 13.

Ms. Sheetal Metakari i/b Sunil Sonawane for MCGM.

CORAM : R.I. CHAGLA J

DATE :14TH NOVEMBER, 2022

ORDER :

1. Matter has been settled between the parties. The parties have filed Consent Terms before the Appellate Court which has been taken on record by order dated 21st September, 2022. As per clause 13 of the Consent Terms, it

is recorded that the Appeal and Suit stand disposed of in accordance with the Consent Terms. The Appellant shall formally withdraw Suit No. 843 of 2019 for statistical purpose within a period of four weeks from the date of the Consent Terms.

2. Accordingly, the learned Counsel appearing for the Plaintiff seeks leave to withdraw Suit No. 843 of 2019 in accordance with Consent Terms dated 21st September, 2022.

3. Leave is granted. The Suit No. 843 of 2019 is disposed of as withdrawn.

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.

5. In view of the withdrawal of the Suit, the pending Interim Applications do not survive and are accordingly disposed of.

[R.I. CHAGLA J.]