

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

**SUMMONS FOR JUDGMENT NO.46 OF 2014  
IN  
COMM. SUMMARY SUIT NO.110 OF 2014**

M/s. Flextough Metals Pvt Ltd & Anr ...Plaintiffs  
**Versus**  
M/s Krishna Fashion World & Ors ...Defendants

**A/W  
SUIT NO.868 OF 2014  
AND  
SUIT NO.968 OF 2014**

M/s Krishna Fashion World & Ors ...Plaintiffs  
**Versus**  
M/s. Flextough Metals Pvt Ltd & Anr ...Defendants

Mr. K.D. Shukla, for Plaintiffs.  
Ms. Vidya Nair a/w Ms. Neha Shah i/b Vimla & Co., for the  
plaintiffs in Suit No.868 & 968 of 2014 & for the  
defendants in Comm Summary Suit No.110 of 2014.

**CORAM: N. J. JAMADAR, J.  
DATED : 15<sup>th</sup> SEPTEMBER, 2022**

**PC:-**

1. Heard the learned Counsels for the parties.
2. The learned Counsels submit that the parties have amicably settled the dispute in all three suits. The parties have executed consent terms as well.
3. Consent terms are tendered.

4. Mr. Sadashiv Pandey alias Mehul Pandey, the plaintiff No.2, who is authorised by the resolutions passed by M/s. Flextough Metals Pvt Ltd, plaintiff No.1, in Commercial Suit No.110 of 2014 and defendant No.1 in Suit No.868 of 2014 and Suit No. 968 of 2014, and Alanzo Trademart Pvt Ltd., (previously known as Navish Trade Links pvt Ltd), the defendant No.2 in Suit No.868 of 2014 and Suit No.968 of 2014, is present.
5. Mr. Ramesh Patel and Mrs. Devi Patel, the defendant Nos. 2 and 3 in Suit No.110 of 2014 and the plaintiff Nos. 2 and 3 in Suit No.868 of 2014 and 968 of 2014, are also present. The parties admit the contents of the consent terms and execution thereof. The parties are identified by their respective Advocates, who have also signed the consent terms.
6. The parties submit that the defendants in Suit No.110 of 2014, Mr. Ramesh Patel and Mrs. Devi Patel, have agreed to pay a sum of Rs.50 Crores to the plaintiff within a period of 120 months from the date of these consent terms. Upon being specifically enquired, Mr.Ramesh Patel and Mrs. Devi Patel submit that they admit the aforesaid stipulations in the consent terms. Mr. Sadashiv Pandey alias Mehul

Pandey, the plaintiff No.2 submits that he is agreeable to receive the payment in accordance with the schedule indicated in the consent terms.

7. It appears that the parties have worked out a comprehensive settlement of the dispute and have made provision for withdrawal of other proceedings between the parties. It appears that the consent terms have been executed voluntarily and there is no coercion or duress.
8. Hence, the consent terms are taken on record and marked "X".
9. A copy of the consent terms be placed in each of the suits.
10. The plaintiff in suit No.868 of 2014, seek leave to withdraw the suit as against defendant No.4 – Seema Jowkar.  
  
Leave granted.
11. The Suit No.868 of 2014 stands dismissed as withdrawn against defendant No.4 - Seema Jowkar.
12. The suits stand disposed in accordance with the consent terms – (X).
13. The undertakings given in the consent terms (X) are accepted as undertakings to the Court.
14. The plaintiffs are entitled to refund of Court fees, if any, in accordance with rules.

15. Decree be drawn in each of the suits in accordance with the consent terms (X).
16. The consent terms (X) shall form part and parcel of the decree in each of the suits.
17. In view of the disposal of the suits, Summons for Judgment, Notice of Motion and/or Interim Applications, if any, also stand disposed.

[N. J. JAMADAR, J.]