

Sharayu Khot.

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

COMMERCIAL SUIT NO. 220 OF 2019
WITH
NOTICE OF MOTION NO. 513 OF 2019
WITH
INTERIM APPLICATION NO. 75 OF 2019

Wonder Precious Stone Trading Pvt.Ltd. ...Plaintiff

Versus

Asset Reconstruction Company (India) Limited
& Ors. ...Defendants

Ms. Bindi Dave a/w Mr. Ieshan Singh i/by Wadia Ghandy & Co. for the Plaintiff.

Mr. Arun Siwach with Ms. Priyanka Mitra, Mr. Karan Khetani i/by Cyril Amarchand Mangaldas for the Defendant No. 1.

Ms. Nikita K. Dharamshi i/by C.K. Legal for the Defendant Nos. 3 to 7.

Mr. Rajesh P. Thakkar, Partner of the Defendant Nos. 3 to 7 present in person.

CORAM : R.I. CHAGLA J
DATE : 17 January 2023

ORDER :

1. The parties have settled their disputes. Consent Terms dated 17th January 2023 are tendered. The Consent Terms are taken on record and marked 'X' for identification with today's date. These

are signed by the Plaintiff and the Advocate for the Plaintiff as well as by the Defendant Nos. 1, 3 to 7 and the Advocates for these Defendants. Parties are present in Court.

2. Learned Counsel appearing for the Plaintiff seeks leave to withdraw the Commercial Suit No. 220 of 2019 against the Defendant No. 2 – Reserve Bank of India. Leave is granted. Commercial Suit No. 220 of 2019 is disposed of as withdrawn against Defendant No. 2 – Reserve Bank of India.

3. I am satisfied that the Consent Terms are in order, not contrary to law and have been drawn by the parties of their own volition in reflection of their true intentions.

4. The undertakings, if any, in the Consent Terms being accepted as undertakings to the Court.

5. The Suit is disposed of and decreed in accordance with the Consent Terms.

6. Interim Applications filed in the Commercial Suit No.

220 of 2019, if any, do not survive and accordingly, disposed of.

7. Drawn up decree/ order is dispensed with unless the parties seek drawn up decree/ order, in which case they are entitled to apply.

8. A soft copy of the Consent Terms will be uploaded as the second order in the matter.

9. The Registry is to ensure that the hard copy of the signed Consent Terms is permanently retained on file as part of the record and is not sent for destruction in the ordinary course.

10. 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.]