

Laxmi

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

**SUIT NO. 547 OF 2014
WITH
NOTICE OF MOTION NO. 1491 OF 2015
IN
SUIT NO. 547 OF 2014
WITH
NOTICE OF MOTION NO. 943 OF 2014
IN
SUIT NO. 547 OF 2014
WITH
CONTEMPT PETITION NO. 66 OF 2015
IN
NOTICE OF MOTION NO. 943 OF 2014
IN
SUIT NO. 547 OF 2014**

IDBI Trusteeship Services Ltd. ..Plaintiff

Versus

Hubtown Limited & Ors. ..Defendants

**WITH
INTERIM APPLICATION (L) NO. 5122 OF 2020
IN
SUIT NO. 547 OF 2014**

Amazia Developers Pvt. Ltd. ..Applicant

Versus

IDBI Trusteeship Services Ltd. & Ors. ..Defendants

**Mr. Aditya Mehta a/w Pritvish Shetty i/b. Cyril Amarchand
Mangaldas, *Advocates for the Plaintiff.***

**Mr. Nishit Dhruva a/w Prakash Shinde, Niyati Merchant Yash
Dhruva and Harsh Sheth i/b. MDP & Partners, *Advocates for
Defendant Nos. 1 and 3.***

CORAM : B. P. COLABAWALLA, J
DATE : 23 MARCH 2023

P.C.

1. When the above matter is called out, the learned Counsel appearing for the Plaintiff has stated that the disputes in the above Suit are settled out of Court and therefore has instructions to withdraw the same.

2. In these circumstances, the above Suit is dismissed as withdrawn. No order as to costs.

3. Refund of court fees, if any, as per rules.

4. In view of disposal of the of the above Suit, nothing survives in Interim Application (L) No. 5122 of 2020, Notice of Motion No. 1491 of 2015 and Notice of Motion No. 943 of 2014 and the same are disposed of accordingly.

5. The learned Counsel for the Plaintiff has also brought to my attention that there was a Contempt Petition filed being Contempt Petition No. 66 of 2015. In that Contempt Petition, by order dated 17th January, 2017, notices were issued to the Respondents. The learned

Counsel for the Plaintiff submitted that in view of the above settlement, the Plaintiff do not wish to proceed with the Contempt Petition and he submitted that the show case notices issued to the Respondents (in the said Contempt Petition) be discharged.

6. Considering that there is a settlement between the parties, the show cause notices issued in the Contempt Petition (on 17th January, 2017) stand discharged and the Contempt Petition is accordingly disposed of.

7. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[B. P. COLABAWALLA, J].