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

COMMERCIAL SUMMARY SUIT NO.38 OF 2022

Ramesh Prafulchandra Shah & Ors. ...Plaintiffs

Versus

Tridhaatu Bharadwaj Developer LLP & Ors. ...Defendants

Mr. Kaushal Thakker, i/b. Dupesh Mehta and Associates for the
Plaintiffs.

Mahesh Ahire i/b. MZM Legal LLP for the Defendants.

CORAM : R.I. CHAGLA J

DATE : 12 APRIL 2023

ORDER :

1. The Plaintiffs and Defendants have entered into Consent Terms bearing today's date, which is taken on record and marked 'X' for identification. The Consent Terms have been signed by the Plaintiff Nos.1 to 3 and the Advocates for the Plaintiffs as well as Defendant Nos.1 to 4 and Advocates for the Defendants. The signatories to the Consent Terms are present in Court and have identified their signatures.

2. The terms of the compromise has been set out in paragraph 6 of the Consent Terms. The payments are to be made as per the payment schedule at paragraph 6(c) of the Consent Terms.

3. I am satisfied that the Consent Terms are in order, not contrary to law and have been drawn up 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. Accordingly, the Commercial Summary Suit is disposed of and decreed in accordance with the Consent Terms.

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

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

8. 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.

9. 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.]