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

SUIT NO. 664 OF 2016

Sabina Usmani

...Plaintiff

Versus

Sheth Developers Pvt. Ltd. & Anr.

...Defendants

Chirag Chanani i/b. Dewani Associates for the Plaintiff.

Raju Yamgar with Bharti Lokhande and Maruti Burungale for
Defendant No.1 – Sheth Developers.

Chowdhari Moinuddin for Defendant No.15.

CORAM : R.I. CHAGLA J.

DATE : 4 MAY 2023.

ORDER :

1. The parties have settled their disputes. Plaintiffs and Defendant No. 1 have entered into the Consent Terms dated 2nd May 2022, which are tendered, taken on record and marked '**X**' for identification. These are signed by the Plaintiffs as well as by the authorised signatory of the Defendant No. 1 and Advocates for the Plaintiffs and Defendant No. 1 respectively. Parties are present in Court.

2. Necessary documents of identification including Aadhar

Card and PAN Card are appended to the Consent Terms.

3. It is stated in paragraph 23 of the Consent Terms that the Defendant No. 2 in the above Suit is only a formal party and hence, Suit against Defendant No. 2 stands withdrawn in accordance with the Consent Terms.

4. In view thereof, the Suit No. 664 of 2016 is disposed of as withdrawn against the Defendant No. 2.

5. 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.

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

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

8. In view of disposal of the above Suit, all Interim Applications / Notices of Motion filed in the above Suit are also disposed of, as become infructuous.

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

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

11. 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.

12. 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.]