

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

COMMERCIAL SUMMARY SUIT NO. 127 OF 2014
WITH
COMMERCIAL SUMMARY SUIT NO. 62 OF 2013
WITH
NOTICE OF MOTION NO. 208 OF 2016

IDBI Trusteeship Services Ltd. ... Plaintiff

Versus

Hubtown Ltd. ... Defendant

Mr. Aditya Mehta, Mr. Pritvish Shetty, Ms. Saloni Shah i/b Cyril Amarchand Mangaldas for the Plaintiff.

Mr. Nishit Dhruva, Mr. Prakash Shinde, Ms. Niyati Merchant, Mr. Yash Dhruva, Mr. Harsh Sheth i/b MDP & Partners for the Defendant.

CORAM : R.I. CHAGLA, J.

DATED : 10th APRIL, 2023.

ORDER :

1 The learned Counsel appearing for the Plaintiff has sought
leave to withdraw Commercial Summary Suit Nos.62 of 2013 and 127 of
2014 on the ground that the matter has been settled and consent terms
have been filed in Commercial Suit No.895 of 2018 which has been taken
on record by order dated 03.03.2023 as modified by order dated
10.03.2023.

2 In view thereof, Commercial Summary Suit Nos.62 of 2013 and 127 of 2014 are disposed of as withdrawn.

3 In view of the disposal of Commercial Summary Suits, Notice of Motion No.208 of 2016 does not survive and is accordingly disposed of.

4 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.)

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by WAISHALI
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WAGHMARE
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