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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.1157 OF 2019
IN
EXECUTION APPLICATION NO.163 OF 2007
IN
SUIT NO.3811 OF 1994

Ujwal Harishchandra Muranjan

...Applicant /
Ori. Defendant
No.5.

In the matter between
Deepak Rajendra Jain & Anr.

...Plaintiffs

Versus

Nilan Harishchandra Muranjan & Ors.

...Defendants

Anand R.Pai, i/b. Akash Gaonkar for Applicants.

Chetan Yadav with Pratibha Tiwari i/b. R.V. and Co. for the Plaintiffs.

Siddharth Nunes i/b. TRD Associates for the Defendant No.9.

CORAM : R.I. CHAGLA J.

DATE : 30 March 2023

ORDER :

1. The Plaintiff and Defendant Nos.1, 3, 4 and 5 have settled their disputes and learned Counsel for parties are tendering the Consent Terms bearing today's date which is taken on record and marked 'X' for identification. The Consent Terms has been signed by the Plaintiff No.1 as Constituted Attorney of Plaintiff No.2 as well as

by Advocates for the Plaintiffs. The Consent Terms are also signed by Defendant Nos.1, 3 and 4 through their Constituted Attorney - Defendant No.5 as well as by Defendant No.5 and Advocates for Defendant Nos. 1,3, 4 and 5. The Power of Attorney issued by the Plaintiff No.2 and Defendant Nos. 1,3 and 4 are appended to the Consent Terms.

2. By these Consent Terms, the Chamber Summons which had been taken out for restoration of the above Execution Application is sought to be dismissed as withdrawn and in accordance with the Consent Terms. The Defendant No.2 has expired on 17th April, 2008 leaving behind Defendant Nos. 1, 3, 4 and 5 as her legal heirs and representatives. By consent of parties Defendant No.2's name is deleted from the array of parties in the above Chamber Summons.

3. The Defendant No.6 has expired leaving behind legal heirs mentioned in Clause 3 of the Consent Terms, the claims of the legal heirs of Defendant No.6 have been settled vide prior Consent Terms 5th February, 2010 in Chamber Summons No.553 of 2007. By consent of parties herein, Defendant No.6 is deleted from the array of

parties in the above Chamber Summons.

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

5. The undertakings in the Consent Terms are being accepted as undertakings to this Court.

6. The Chamber Summons is disposed of as withdrawn in accordance with the Consent Terms.

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.

[R.I. CHAGLA J.]