



igned
4
AO
9
+0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL SUIT NO. 885 OF 2018

Arjun Atma Sippy & Anr.

...Plaintiffs

Vs.

Purshottam Associates & Ors.

...Defendants

WITH
CHAMBER SUMMONS NO. 732 OF 2019
WITH
INTERIM APPLICATION NO. 2357 OF 2020
WITH
NOTICE OF MOTION NO. 26 OF 2020
WITH
CHAMBER SUMMONS NO. 39 OF 2020
WITH
NOTICE OF MOTION NO. 1543 OF 2018
WITH
CONTEMPT PETITION NO. 10 OF 2019

Mr. Sharan Jagtiani, Senior Advocate a/w Ranbir Singh (through VC), H. N. Vakil and Kimi Mhapankar i/by Mulla and Mulla Craigie Blunt & Caroe for the Plaintiffs.

Adv. Anagh Pradhan a/w Anston Vaz i/by Divya Shah Associates for Defendant Nos.3 and 4.

Adv. Mahek Bookwala a/w Darshit Jain for Defendant Nos.5 to 8.

Adv. Dharam Jumani a/w Munaf Virjee, Rushabh Parekh and Mihir Nerurkar i/by AMR Law for Defendant No.9.

Adv. R. C. Nichani for Defendant Nos.10 to 14, 24 and 25.

Adv. Tanay Mandot i/by Vis Legis Law Practice for Defendant Nos.15 to 17.

Adv. Brijesh Shukla a/w Ram Gehani and Deepa Motwan for Defendant Nos.20 and 21.

Adv. Somya i/by T. N. Tripathi & Co. for proposed Respondent No.27 in CHSCD/39/2020.

Mr. Trilokchand P. Menghani-Defendant No.2 is present in person.

CORAM : ARIF S. DOCTOR, J.
DATE : 16TH AUGUST, 2024

P.C.-

1. The Plaintiff has today tendered consent terms execution of which has been duly verified by the affirming officer of this Court.

2. Mr. Jagtiani, Learned Senior Counsel submitted that if the Court is inclined to take on record the said consent terms, except for Defendant No.1 and 2, the Suit would stand dismissed against rest of the Defendants.

3. Mr. Trilokchand P. Menghani, who today appears in person submits that he does not have any objection to these consent terms being taken on record as also to the fact that the Suit would not be prosecuted against other Defendants.

4. The consent terms are thus taken on record and marked 'X' for identification. The consent terms are entered into between the Plaintiffs and Defendant Nos.5 to 8. The undertakings given in consent terms are accepted as undertakings to the Court.

5. Learned Counsel for the Plaintiffs submits that rest of the Defendants shall be deleted from the array of parties. The deletion shall be carried out within a period of one week from today.

6. Ms. Bookwala submits that the demand drafts mentioned in the consent terms have been handed over to the Advocate for the Plaintiffs in Court.

7. In view of the consent terms being taken on record and the fact that the Suit is not being pressed against rest of the Defendants, the following interlocutory Applications shall also stand disposed of by virtue of this order.

- i. Chamber Summons No.732 of 2019
- ii. Notice of Motion No.26 of 2020
- iii. Chamber Summons No.39 of 2020
- iv. Notice of Motion No.1543 of 2018
- v. Contempt Petition No.10 of 2019

8. Mr. Singh, at this stage submits that though the present Applications are being disposed of, the Plaintiffs, if necessary, shall file Interim

Applications since some of the prayers sought for in the Interim Applications are over lapsed. He thus seeks liberty to do so. Liberty as prayed for is granted.

9. It is made clear that in view of the fact that above interlocutory Applications are today disposed of, any orders passed in the same shall also forthwith stand vacated.

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

(ARIF S. DOCTOR, J.)