

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 506 OF 2014

WITH

NOTICE OF MOTION NO. 1200 OF 2014

IN

SUIT NO. 506 OF 2014

Zarina Izzat Ahmed Dada & Ors. ..Plaintiffs

Vs.

Mohamed Usman Hasham Dada & Ors. ..Defendants

WITH

INTERIM APPLICATION NO. 107 OF 2020

IN

SUIT NO. 506 OF 2014

Zarina Izzat Ahmed Dada & Ors. ..Plaintiffs

Vs.

Masood Hasham Dada ..Defendant

Ms. Ayesha Damania i/b. Sainand Chaugule for the
Plaintiffs/Applicant in NMS/1200/2014.

Mr. Nikhil Mengde for Defendant No.1 (Mohd. Usman Hasham Dada)

Mr. Chirag Bhavsar i/b. Vis Legis Law Partners, for Defendant No.3
& 4 and for the Applicant in IA/107/2020

Mrs. Zarina Dada, Plaintiff No.1 is present.

Mrs. Saadia Moosa, Plaintiff No.2 is present.

Mrs. Nasreen Salem Salim, Plaintiff No.3 is present.

Mrs. Farah Dada, Plaintiff No.4 is present.

Mr. Mohd. Usman Dada, Defendant No.1 is present.

Mr. Masood Dada, Defendant No.2 is present.

Mrs. Amina Dada, Defendant No.5 is present.

Mrs. Sayeeda Dada, Defendant No.6 is present.

Mr. Salman Amin, Defendant No.3 and POA holder for Defendant No.4 is present.

CORAM:- B. P. COLABAWALLA,J.

DATE :- JUNE 24, 2022.

P. C.:

1. When the above matter is called out, the learned Advocate appearing on behalf of the Plaintiffs as well as the Advocate appearing on behalf of Defendant No.3 and 4 have stated to the Court that the disputes between the Plaintiffs and the Defendants in the above Suit have been settled as recorded in the consent terms dated 24th June, 2022.

2. The consent terms have been signed by the Plaintiffs as well as Defendant Nos. 1, 2, 5 and 6 who are all present in Court today. They have all stated before the Court that they have signed the consent terms after reading and understanding the same as well as the implications thereof.

3. The consent terms have been signed by Defendant No.3 for

himself as well as in his capacity as a power of attorney holder for Defendant No.4. The copy of the power of attorney has also been tendered before me and the same is taken on record and marked 'X' for identification.

4. Defendant No.3 is present in Court today and he has stated before the Court that he has signed the consent terms for himself as well as in his capacity as the power of attorney holder of Defendant No.4. He has stated that he has signed the Consent Terms after reading and understanding the same as well as the implications thereof. Defendant No.3 has further stated that Defendant No.4 has read these consent terms and understood the implications thereof.

5. The consent terms have also been signed by the Advocates appearing on behalf of the Plaintiffs and the Advocates appearing on behalf of Defendant Nos. 3 and 4. As far as the other Defendants are concerned, they have appeared in person today as they do not have any advocate.

6. In these circumstances, the consent terms dated 24th June, 2022 are taken on record and marked 'X-1' for identification. The undertakings given in the consent terms are accepted as undertakings given to the Court. There shall be an order and decree in terms of the

consent terms and the Suit is also disposed of in terms of the consent terms.

7. Refund of Court Fees, if any, as per rules.

8. In view of the disposal of the Suit, nothing survives in Notice of Motion No. 1200 of 2014 and Interim Application No. 107 of 2020 and the same are disposed of accordingly.

9. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(B. P. COLABAWALLA, J.)