

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

**CHAMBER SUMMONS NO.1450 OF 2003
WITH
CHAMBER SUMMONS NO.1633 OF 2003
IN
EXECUTION APPLICATION NO.63 OF 2003**

Islamic Investment Co. of the Gulf Ltd.Plaintiffs

V/s.

Symphony Gems N.V.& Ors.Defendants

Ms.Pooja Kothari i/by M/s.Federal & Rashmikan for applicant in Chamber summons No.1450/2003.

Mr.Sairam Subramanian a/w Ms.Sobhana Narayan i/by Khaitan & Co. for applicant in Chamber summons No.1633/2003.

CORAM : K.R.SHRIRAM,J

DATE : 10.8.2016

P.C.:-

1 Ms.Pooja Kothari i/by M/s.Federal & Rashmikan states that the applicant in Chamber summons no.1450 of 2003 expired in the year 2010 and they were informed about the same by their advocate Vinay A.Rathi vide letter dated 16.9.2010. The counsel states that thereafter they never received any instructions from the legal heir whose name is mentioned in the said letter. The counsel states that they wrote to the advocate in July-2016 asking for instructions and also advised the advocate that they would apply for discharge if instructions are not received. The counsel states that there has been no response to the letter and seeks discharge in the matter. Federal & Rashmikan advocate for the applicant is hereby

given discharge in the matter. Chamber summons No.1450 of 2003 also stands dismissed for want of prosecution.

2 Nobody is present for the judgment-creditor Islamic Investment Company The Gulf (Bahamas) Limited on whose application, various orders have been passed. Execution Application therefore, dismissed for want of prosecution.

3 CHAMBER SUMMONS NO.1633/2003

Since the Execution Application itself is dismissed, the chamber summons has to be allowed. Chamber summons accordingly disposed in terms of prayer clause-(a).

This order in Chamber summons No.1633 of 2003 not to take effect for a period of two weeks.

(K.R.SHRIRAM,J)