

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

**SUIT NO.295 OF 2009  
WITH  
NOTICE OF MOTION NO.154 OF 2014  
WITH  
NOTICE OF MOTION NO.1864 OF 2009  
WITH  
NOTICE OF MOTION NO.561 OF 2009  
WITH  
NOTICE OF MOTION NO.1535 OF 2012  
IN  
SUIT NO.295 OF 2009**

Amirbanoo M. Amlani and Ors. ....Plaintiffs

Vs.

Altat M. Amlani and Anr. ....Defendants

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Mr. Rajeev Narula i/b. Jhangiani, Narula and Associates for the plaintiffs.

Ms. Amirbanoo Mohamedali Amlani, plaintiff no.1 present in person.

Ms. Amina Firoz Virazni, plaintiff no.2 and also constituted attorney of plaintiff no.3 present in person.

Mr. Khan Javed Akhtar for the defendant no.1.

Mr. Lalit V. Jain for the defendant no.2.

Mr. Altat Mohamedali Amlani, defendant no.1 present in person.

Mr. Salim Mohamedali Amlani, defendant no.2 present in person.

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**CORAM : K.R.SHRIRAM, J.**

**DATE : 21<sup>st</sup> MARCH, 2017**

**P.C.:**

1           The parties have amicably settled the matter. The consent terms dated 21<sup>st</sup> March, 2017 signed by the plaintiff no.1, plaintiff no.2, plaintiff no.3 (through constituted attorney), defendant no.1, defendant no.2 and their respective advocates is taken on record and marked 'X' for identification. All the undertakings given in the consent terms are accepted and so ordered.

2           So far as the cash lying in locker no.586/A with Union Bank of India, Turner Road Branch is concerned, the locker to be opened only in the presence of the Officer of the Court, bank's representative and the parties to the suit. If in the locker demonetized currency notes are found, then, the currency notes should not only be counted but the serial numbers of the currency notes have to be recorded and the list has to be signed by all the persons including the Court Officer.

          The parties must also file an affidavit stating that none of the parties to the dispute and who are before the Court nor any of the signatories to the bank locker or vault (including the deceased) had access to the locker or vault in question after 8th November 2016. A copy of the bank's access records with the authenticated inventory list and the affidavit must be filed with the Prothonotary and Senior Master, High Court, Bombay and a copy supplied to the Reserve Bank of India, in addition to the parties.

          After depositing the amount with the Prothonotary and Senior Master, liberty to the plaintiffs to apply to the Court for appropriate directions.

3           The suit stands disposed in terms of the consent terms. No order as to costs. All interim applications stand disposed and all interim orders also stand vacated.

4           Mr. Jain, counsel for the defendant no.2 points out that copy of the Power of Attorney from plaintiff no.3 to plaintiff no.2 has not been provided. Mr. Narula, counsel for the plaintiffs collects the copy from plaintiff no.2, who is present in court and hands over the copy duly attested as true copy. Mr. Narula, on instructions states that this Power of Attorney is current and has not been revoked by plaintiff no.3. Plaintiff no.2, who is present in court, confirms the same.

5           All parties to act on a copy of this order authenticated by the Associate of the Court.

**(K.R. SHRIRAM, J.)**