

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

SUIT NO.3668 OF 1997

Sorab K. Modi & Anr.	.. Plaintiffs
Vs.	
Bank of Baroda & Ors.	.. Defendants

None for plaintiffs.

Mr.Rishab Sheth a/w. Ms.Nehal Shah i/b M/s. M.S.Bodhanwalla & Co. for defendant nos.1 to 7.

Mr.Mikhail Behl a/w. Mr.Ashir Amin i/b Kanga & Co. for defendant No.11.

**CORAM : K.R.SHRIRAM, J.
DATE : 8TH SEPTEMBER 2017**

1 Mr.Sheth for defendant nos.1 to 7 and Mr.Behl for defendant no.11 state that plaintiff no.2 had predeceased plaintiff no.1 who also expired 1 year ago. On 10th April 2017, the Court had passed an order in which it is stated as under :

“.....In view thereof, the legal heirs and representatives of the deceased -Shri Sorab Kaikhushroo Modi shall take appropriate steps in the matter.”

2 Nobody has taken any steps to bring themselves on record. The suit stands abated.

3 Mr.Behl appearing for defendant no.11 states that they had filed the original Share Certificates and Transfer Deeds with the Prothonotary and

Senior Master, High Court, Bombay as part of their evidence. Mr.Behl seeks a direction to the Prothonotary and Senior Master to return the original Share Certificates and Transfer Deeds and undertakes to substitute the same with photocopy duly endorsed as 'true copy' by advocate on record for defendant no.11.

4 The Prothonotary and Senior Master to hand over Share Certificates and Transfer Deeds to the advocates for defendant no.11 only after completion of four weeks of submitting true copy as mentioned above. Defendant no.11 shall not take any steps on these documents or act on these documents for a period of eight weeks after receiving the documents from the Prothonotary and Senior Master.

(K.R. SHRIRAM, J.)