

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***T. & I. J.*****NOTICE OF MOTION NO. 38 OF 2014
IN
PETITION NO. 557 OF 2011****Dhuru Lachmandas Sipahimalani** **Applicant****IN THE MATTER BETWEEN****Dhuru Lachmandas Sipahimalani & Anr.** **Petitioners****VERSUS****The Chairman and Managing Director,
Central Bank of India & Anr.** **Respondents**

Mr.S.Nagvadaria, i/b. Mr.P.S.Gidwani for the Petitioners.

Mr.Rajan Pillai, i/b. M/s.R.K.Associates for the Respondents.

CORAM : R.D. DHANUKA, J.**DATE : 17th JULY, 2017****P.C.**

Learned counsel appearing for the petitioners states that out of the three executors, one of the executor Mr.Kishu Kevalram Shivdasani has expired and is ready to furnish a copy of the death certificate to the respondent no.1 within one week from the date of receipt of the death certificate from the Municipal Corporation to the respondents. The statement is accepted.

2. In view of the demise of the one of the executors, on application of the remaining two executors who are parties to the present notice of motion, I am inclined to grant prayer clause (a) of the notice of motion on the condition that a copy of the death certificate duly certified as true copy by the petitioners' advocate

within two weeks from the date of receipt of the death certificate from the Municipal Corporation. The same shall be served to the respondents. Notice of Motion is allowed in terms of prayer clause (a) on the condition aforesaid. No order as to costs.

(R.D.DHANUKA, J.)