

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 694 OF 2017
IN
SUIT NO. 845 OF 2014

Shapur Dadabhoy Broacha ...Plaintiff
Versus
Pirojbai (Pilloo) Dadabhoy Broacha & Ors ...Defendants

Mr Clive D'Souza, *for the Plaintiff.*
Mr Satyam N Vaishnav, *with Nupur J Mukherjee, i/b M/s. NN*
Vaishnawa & Co., for the Defendants/Applicants.
Mr Shashank Fadia, *with Perminder Singh for HSBC.*
Mr Suryakumar, *Officer of HSBC, in person*

CORAM: G.S. PATEL, J
DATED: 25th April 2017

PC:-

1. Mr Fadia on behalf of the HSBC makes a statement that the Bank will submit to an order of the Court.
2. The Notice of Motion is made absolute in terms of prayer clauses (a) and (b), which read as follows:

“(a) That pending the hearing and final disposal of the suit, the Respondents Bank be directed to continue to operate the Account No. 002-410462-001 by

encashing the cheques issued in the name of "P.D. Broacha & Others" and allow the parties to operate the same as has been operating till February 2017;

(b) The Respondents Bank be ordered and directed to delete the name of Ms. Jeroo Dadabhoy Broacha and replace the same with the name of Mr. Zubin Khurshed Broacha, the Defendant No. 3;"

3. The deletion of the name of the deceased person Ms Jeroo Dadabhoy Broacha and its substitution with the name of Mr. Zubin Khurshed Broacha, Defendant No. 3, is without prejudice to the rights and contentions of all parties (excluding HSBC).

4. All concerned, including HSBC, will act on an authenticated copy of this order.

(G. S. PATEL, J.)