

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

**NOTICE OF MOTION NO.445 OF 2013
IN
SUIT NO.183 OF 2013**

Mr. Sultan Ali Manekia and
Shonali Kedar Dighe, Master and
Assistant Prothonotary (Judicial) ... Plaintiffs
versus
Zameer M. Manekia and Ors. ... Defendants

Mrs. Shonali Kedar Dighe, Master and Assistant Prothonotary, Judicial and Next Friend, present.
Mr. Punglia, for Defendant No.1.
Ms. Sheetal Mehta i/by Mr. Yogesh Adhia, for Defendant No.2.
Dr. Abhinav Chandrachud with Mr. S.Y.Mulani i/by M/s. Mulani and Co., for Defendant No.4.
Mr. Mustafa Kachwala i/by M/s. Kachwala Misar and Co., for Defendant Nos.10 and 11

CORAM: S.J. KATHAWALLA, J.

DATE: 21th MARCH, 2017

P.C.:

1. The learned Advocate for Defendant No.1 states that pending the hearing and final disposal of the Suit, the Defendant No.1 through his Advocate undertakes that he shall not sell, alienate, encumber, part with possession and/or create third party rights in respect of any properties which are listed at Sr. Nos.1 to 4 in Exhibit B to the Plaint and the shares listed in Exhibit I to the Plaint. The undertaking is accepted.

2. The Defendant No.1 through his Advocate further undertakes that he shall open a new bank account only for the purpose of depositing the dividends received henceforth on the shares listed in Exhibit I to the Plaint, and the amounts so deposited shall not be used without seeking prior orders of this Court. He shall also submit the statement of account with detailed particulars of shares in respect of which dividends are received i.e. the name of the Company and number of shares held by Defendant No. 1 to the Court Officer - Ms. Shonali K. Dighe, every six months and a copy of the same shall be made available to the Advocate for Defendant No.4. The undertakings are accepted.

3. The Notice of Motion is accordingly disposed of. Liberty to apply.

(S.J.KATHAWALLA, J.)