

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

NOTICE OF MOTION NO. 1421 OF 2015

IN

SUIT NO. 635 OF 2015

Snehlata Balam Rameshchandra Bajaj & Ors. ...Plaintiffs/Applicants

Vs.

Le Khana Caterers & Ors. ...Defendants

Mr.Cyrus Ardeshir with Tejal Pandya I/b. Ashwin Pandya & Associates for
Plaintiffs.

Mr.Raphael D'Souza for Defendant Nos.1 to 3.

CORAM : S.C. GUPTE, J.

DATE : 7 FEBRUARY 2018

P.C. :

The present notice of motion is taken out in an administration-cum-declaration suit. The subject matter of the suit concerns the share of the deceased predecessor of the Plaintiff and Defendant No.4 in a partnership firm by the name of "Le Khana Caterers".

Learned Counsel for Defendant Nos.1 to 3 submits that his clients are agreeable to have a valuer appointed by the court in respect of the share of the deceased without prejudice to the rights and contentions of his clients. Learned Counsel also states that his clients shall carry on business but not dispose of any of the assets of the firm of Le Khana Caterers otherwise than in due course of the business without seeking leave of the court. The statement is accepted.

2 M/s.Kishore Karamsey & Co., Architects, are appointed as

valuers for valuing the share in the business of Le Khana Caterers of the deceased partner Nutan Bajaj, as on the date of the death of the deceased. All parties to co-operate with the valuers. The valuers shall submit their valuation report within a period of six weeks from today. Liberty to either parties to apply to the court after the valuation report is presented by the valuers. The notice of motion is disposed of.

3 Considering the age of Plaintiff No.1 and the relations between the parties, the hearing of the suit is expedited. Since the written statements have been filed in the suit, let the suit come up for framing of issues on 1 March 2018.

(S.C. GUPTE, J.)