

(corrected order)

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

**NOTICE OF MOTION NO. 1471 OF 2015
IN
SUIT NO. 514 OF 2015**

Laig Ahmed Shaikh

...Plaintiff

vs.

Mahtab Laiq Shaikh & Ors.

...Defendants

Mr.Y.H. Muchhala, Senior Advocate with Sagheer A. Khan and Sharique Nachan I/b. Judicare Law Associates for Plaintiff/Applicant.

Mr.Kevic Setalvad, Senior Advocate with Dinesh Purandare I/b

Mohd.Akram for Defendant Nos.1, 2, 15 and 16.

Mr.Kishore N. Shriyan for Defendant No.3.

Mr.Musaddique Momin I/b. ASM Legal Associates for Defendant Nos.4, 6 to 14.

Mr.Zal Andhyarujina with Shrey Sancheti I/b. Mustafa & Banatwala for Defendant Nos.5 and 18.

CORAM : S.C. GUPTE, J.

DATE : 30 OCTOBER 2018

P.C. :

After the matter is heard, learned Counsel for the parties agree that the court may declare its operative order but not discuss reasons in the order so as to dispose of the notice of motion.

2 It is, accordingly, ordered that Defendant No.1 shall maintain and submit periodical account of the properties forming part of Annexure-IV to the family arrangement, which are described at Pages 98 and 99 of the plaint. The account shall be rendered as of 31 March of every year within two months of the close of the year.

3 Particularly in respect of the property described at Serial No.7 of the list being Annexure-IV, Defendant No.1 shall annually submit accounts of the joint ventures of Defendant Nos.15 and 16 for development of the property described at Serial No.7. Such account shall be rendered for each year ending 31 March and shall be furnished to the Plaintiff within two months of the close of the year.

4 Defendant No.1 shall also pay 10% share of the Plaintiff in the profits made by Defendant Nos.15 and 16 from out of the development of the property described at Serial No.7. Such share shall be paid quarterly.

5 Liberty to the parties to apply in case there is any dispute about the profits made by the firm and 10% share worked out therefrom.

6 This arrangement is an ad-hoc arrangement pending the hearing and final disposal of the suit and will ultimately be subject to accounts as may be decided at the hearing of the suit.

7 The notice of motion is disposed of in the above terms.

8 The hearing of the suit is expedited.

(S.C. GUPTE, J.)