

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

NOTICE OF MOTION NO.1239 OF 2019
IN
NOTICE OF MOTION NO.3502 OF 2010
IN
SUIT NO.107 OF 2010

Mutiur Rehman and Others

...Applicants/
(Ori. Defendants)

In the matter between

Farida Ahmed w/o. Shahnawaz N. Ahmed
and Others

...Plaintiff

vs.

Saregama India Limited

...Respondent

Mr. Reyden Gonsalves i/b. Ms. Eventa Gonsalves, for the Plaintiff.
Mr. Kunal Parekh i/b. Thakare Jariwala and Associates, for the
Respondent
Mr. B.K. Bali i/b. Bali Associates, for the Applicants/Ori.
Defendants

CORAM : N. J. JAMADAR, J.

DATE : JANUARY 27, 2021

P.C.:

In Notice of Motion No. 1239 of 2019 :-

- . Heard the learned counsel for the parties.
2. This Notice of Motion is taken out by the original Defendants seeking to withdraw the royalty amount deposited pursuant to the order dated 6th April, 2011 passed in Notice of Motion No. 3502 of 2010, in proportion to the shares mentioned in the schedule annexed to the Motion.

3. The learned counsel for the Plaintiff has no objection to allow the Motion.

4. By an order dated 30th October, 2018, in view of the no opposition to the identical Motion, being Notice of Motion No. 1467 of 2018, it was allowed in terms of prayer clause (a) therein. The persons who are named in the schedule with their respective shares in the royalty are the heirs of the late celebrated music Director Mr. Naushad and there is no dispute about the ratio in which they are entitled to share the said royalty amount.

5. In view of above, the Notice of Motion stands allowed in terms of prayer clause (a).

In Suit No. 107 of 2010 :-

6. The learned counsel for the Plaintiff seeks time to file affidavit of documents.

7. The parties shall file affidavit of documents within a period of four weeks. The discovery and inspection be completed within two weeks thereafter. The statement of admission and denial of the documents be filed within a week thereafter.

8. List on 24th March, 2021.

(N. J. JAMADAR, J.)