

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

INTERIM APPLICATION NO.1275 OF 2025
IN
TESTAMENTARY PETITION NO.199 OF 1986

Ajit Jude Ireaneus Lobo .. Applicant.

In the matter between
Ajit Jude Ireaneus Lobo .. Petitioner.

v/s.

Asian Paints Limited & Others .. Respondents.

Adv. Sheetal Shah with Adv. Sanyam Jain i/b. M/s. Mehta & Girdharlal,
for the Applicant/ Petitioner.

Adv. Keshav Borhade, for Respondent No.1.

CORAM: FIRDOSH P POONIWALLA,J.
DATE : 29th SEPTEMBER, 2025.

P C:-

1 This Interim Application has been filed seeking the following
reliefs:-

“a) The Respondent No. 1 be directed to issue the duplicate share certificates in favour of the Applicant being a total of 4,600 shares of Asian Paints Limited bearing folio No. ANM0038698 standing in the name of Maki Shiavax Dhanbhoora alias Maki Shivax Dhanbhoora alias Maki-Shiavax Dhanthoora i.e., the deceased above or any other number of shares as accrued from time to time named within a period of 2 weeks from the date of passing the Order;

b) The Respondent No. 1 be directed to issue the Entitlement

Letter for unclaimed shares and dividends accrued thereon year wise within a period of 2 weeks from the date of passing the Order;

c) The Respondent No 1 be directed to file positive E-verification report within one week of intimation of filing of IEPF Claim Form No 5 by the Applicant;

d) That the Respondents Nos 2 to 5 be directed jointly or severally to transfer in favour of the Applicant a total of 4,600 shares of Asian Paints Limited bearing folio No. ANM0038698 standing in the name of Maki Shiavax Dhanbhoora alias Maki Shiavax Dhanthoora alias Maki Shivax Dhanbhoora i.e., the deceased above named along with all the unclaimed dividend thereon within a period of 2 weeks from the date of receipt of the E verification filed by Respondent No 1;

e) That Respondents jointly/severally be directed to pay the Applicant a sum of Rs 2,00,000/- (Rupees Two Lakhs Only) towards legal costs;

f) That Respondents jointly/severally be directed to pay the Applicant a sum of Rs 3,00,000/- towards mental torture, agony and harassment;

g) Cost of Application;

h) Any other and further orders as the nature and circumstances deemed fit.”

2 After the matter was heard for some time, the learned Advocate appearing on behalf of Asian Paints Limited stated that they have no objection to the prayers (a), (b) and (c) being granted, subject to the Applicant issuing an Indemnity Bond in favour of Asian Paints Limited in terms of Section 375 (2) of the Indian Succession Act, 1925 in the format required by Asian Paints Limited.

3 In these circumstances, the following order is passed:-

- (a) The Interim Application is allowed in terms of prayer clauses (a), (b) and (c), subject to the Applicant issuing an Indemnity Bond in favour of Asian Paints Limited, in terms of Section 375 (2) of the Indian Succession Act, 1925, in the format required by Asian Paints Limited.
- (b) In case there is any impediment in transmission of the said 4600 shares of Asian Paints Limited and the unclaimed dividend, liberty to apply.
- (c) There will be no order as to costs.

(FIRDOSH P. POONIWALLA,J.)