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

INTERIM APPLICATION NO.3815 OF 2025

IN

TESTAMENTARY PETITION NO.437 OF 2024

Haamidali Roshanali Nasser ...Intervenor/Applicant

Vs.

Gulam Mohammed R Lakhani ... Respondent

Adv. Sukruta Chimalker for the Applicant.

Adv. Alizain Patel, i/by Patel Associates for the Petitioner.

Adv. Yatin R. Shah for the Defendant.

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CORAM : Kamal Khata, J.
DATED : 4th August 2025.

P.C.:-

1. Upon hearing the Advocates and having due deliberations in Court, the following arrangement is arrived at:

2. LEAVE AND LICENSE AGREEMENT

(a) The Applicant-Intervenor, as well as son of the deceased, namely Mohammedali Mohibali Nasser, shall execute the Leave and License Agreement in respect of Flat No.1.

- (b) This execution will be without prejudice to the rights of the Defendants/Caveators, who own 50% of the share in the said flat.
- (c) The Applicant-Intervenor shall be entitled to receive 50% license fee upon execution of this Leave and License Agreement.
- (d) However, as a pro tem arrangement, the parties agree that the entire license fee amount shall be accepted by the Applicant from the Licensee.

3. Blocked Accounts:

- (a) Learned Advocate for the Applicant-Intervenor seeks permission to withdraw the Applicant's share from the following blocked accounts:

Amount	Bank Name and Branch	Bank A/c. No.
<i>Rs.8,56,848.82</i>	<i>Bank of India, Kalbadevi</i>	<i>002410110001313</i>
<i>Rs.64,470</i>	<i>Bank of India, Kalbadevi</i>	<i>002410110001312</i>
Rs.3,60,485	DCB Bank, Crawford market	01912500013156
Rs.85,960 (Share of Raihana Fidahusein)	Bank of India	002410110001312

- (b) The Petitioner and the Defendant agree to furnish a No Objection Letter to the Applicant for

withdrawal of his share from the blocked accounts.

4. Learned Advocate for the Defendant is permitted to amend the Petition in terms of the draft schedule for amendment within a period of one week from the date of uploading of the present order on the website of Bombay High Court.

5. List the matter on 13th August, 2025.

(Kamal Khata, J.)

Note: This order is modified as per order dated 13th August, 2025. The corrections are shown in bold and italics.