



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**3 FIRST APPEAL NO. 370/2022
WITH
INTERIM APPLICATION NO. 6791/2025
IN
FIRST APPEAL NO. 370/2022**

SHRI. RAMESH N. SANATHARA **..APPELLANT**
VS
M/S. KOTAK MAHINDRA FINANCE
LTD. AND ANR. **..RESPONDENTS**

Adv. Mahesh Rajpopat a/w. Adv. Akshit Kothari for appellant.
Adv. R. L. Motwani for respondent no.1 – Bank.

CORAM : RAJESH S. PATIL, J.

DATE : 7 APRIL 2026.

P.C. :

- 1)** I have heard learned counsel for both sides.
- 2)** The impugned judgment passed by the Civil Court at Bombay on 17/9/2018 is showed to me.
 - 2.1)** Mr. Motwani, learned counsel appearing for the respondent has handed over a copy of the letter dated 29/12/2021 written by KFin Technologies Private Limited to the appellant – plaintiff.
 - 2.2)** Mr. Motwani further submitted that the bank is ready to comply with the directions given by the Courts provided the plaintiff follows the procedure.

3) Mr. Rajpopat, learned counsel appearing for the appellant submits that his client or he with an authority from his client will visit the branch of the Kotak Mahindra Bank at Goregaon, on 9/4/2026, at 11.00 a.m., in the morning.

4) The concerned officer of the Kotak Mahindra Bank will fully co-operate with the appellant, as regards to complying with the directions given in the judgment and order dated 17/9/2018 passed by the City Civil Court at Bombay in Suit No.4853/1995. The operative part of the judgment read as under:-

ORDER

1. Suit is partly decreed.
2. The plaintiff is hereby declared that he is owner in respect of suit share certificate no.171512 Distinctive No.17116101 to 17116200 of defendant no.1.
3. The defendant no.1 is directed to issue duplicate share certificates in respect of share certificate no.171512 Distinctive No.17116101 to 17116200 in the name of plaintiff.
4. Plaintiff relief of injunction is hereby rejected.
5. No order as to costs.
6. Decree be drawn up accordingly.

5) The respondent will comply with the directions of handing over the shares with regard to the Share Certificate No.171512 which has now turned into 1000 shares, in the name of appellant – original plaintiff, by following its Rules.

- 6)** Learned counsel for the respondent no.1 – bank will convey the order passed today to the responsible officer of the Goregaon Branch and to the Head Office of the Kotak Mahindra Bank. The share certificate will be strictly transferred in the name of the original plaintiff – Ramesh N. Sanathara.
- 7)** The respondent no.1 – bank is directed to take such steps as per the rules as required for transfer of these shares in the name of the appellant-original plaintiff from the name of defendant no.2.
- 8)** Place this matter on **29/4/2026**. Matter to come up under the caption **“For Compliance”**.
- 9)** All concerned to act on an authenticated copy of this order.

(Rajesh S. Patil, J.)