

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

**NOTICE OF MOTION NO. 36 OF 2017
IN
SUIT NO. 1489 OF 2016
WITH
SUIT NO. 347 OF 2016**

Caroline Bocarro & Anr. .. Plaintiffs
Vs.
Menlyn Transport Pvt. Ltd. & Ors. .. Defendants

Mr.Rohaan J. Cama i/b Mrs.Armaity S. Khushrushahi for plaintiffs.

Mr.Madhav J. Jamdar for defendant nos.3 and 4.

Mr.Kapil N. Gor for defendant no.5.

Mr.Fredrick Vaz, Power of Attorney of the plaintiffs present.

Mrs.Colleen Bocarro-defendant no.3; Mr.Stuart Bocarro-defendant no.4,
Mr.Barry Bocarro-defendant no.5 present.

**CORAM : K.R.SHRIRAM, J.
(IN CHAMBERS)**

DATE : 1ST MARCH, 2017

P.C.

1 The counsels state that parties have moved considerably ahead in their attempt to amicably resolve the disputes. Shri Cama for the plaintiffs states that if the Court directs the banks which are mentioned in paragraph 5 of the plaint to provide copies of the statement of accounts including fixed deposits receipts in the name of deceased Dale Bocarro either in his single

name or joint name with any other person or party for the period 1st April 2015 to 28th February 2017, in all likelihood the remaining differences can also be put to an end.

Shri Jamdar for defendant nos.3 and 4 and Shri Gor for defendant no.5 agree.

2 Fixed deposits/Savings Accounts in the Banks are as under :

- (i) Fixed Deposit No.00164470251984 with HDFC Bank, Bandra (West) Branch, standing singly in the name of the Deceased.
- (ii) HDFC Bank, Landmark Building, Pali Naka, Bandra (West), Mumbai-400050;
- (iii) Bank of India, 44, R.N. Road, Bandra (West), Mumbai- 400050;
- (iv) Central Bank of India, Opposite St.Joseph's Convent, Manuel Gonsalves Road, Bandra (West), Mumbai-400050;
- (v) HSBC Bank, Dr.Ambedkar Road, Bandra (W), Mumbai;
- (vi) State Bank of Patialia, Hill Road, Bandra (W), Mumbai;
- (vii) Canara Bank, Hill Road, Bandra (W), Mumbai;
- (viii) ICICI Bank, Waterfield Road, Bandra (W), Mumbai;
- (ix) Vijaya Bank, Hill Road, Bandra (W), Mumbai;
- (x) State Bank of India, Dr.Ambedkar Road, Bandra (W), Mumbai.

3 The banks mentioned in paragraph 2 above are directed to provide the statement of accounts for all accounts maintained with them in the name of Dale Bocarro singly or jointly with any other person, for the period 1/4/2015 to 28/2/2017 within one week of receiving a copy of this order to the Advocate for the plaintiffs with copy to the Advocates for defendant nos.3 and 4 and defendant no.5. Shri Jamdar appearing for defendant nos.3 and 4

states that his clients will ensure that the order is personally delivered to the banks mentioned above, at the earliest under advice to the Advocates of the plaintiffs and defendant no.5. If there are any charges payable, the counsel for the plaintiffs states at this point of time the plaintiffs shall pay for it. Shri Jamdar for defendant nos.3 and 4 and Shri Gor for defendant no.5 state that 1/3rd each of the costs payable/paid by the plaintiffs will be shared by them.

4 All parties to act on a copy of this order authenticated by the Associate of the Court.

5 Stand over to 10th March 2017 in Chambers for directions at 5:15 p.m.

(K.R. SHRIRAM, J.)