

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

INTERIM APPLICATION (L) NO. 34480 OF 2023

IN

EXECUTION APPLICATION NO. 323 OF 2022

Rustom Ginwalla	... Applicant
<u>In the matter between :</u>	
Mr. Farhad Ginwalla and others	... Claimants
V/s.	
Zenobia Poonawala and others	... Respondents

WITH

APPEALS (L) NO. 16662 OF 2024

IN

INTERIM APPLICATION (L) NO. 34480 OF 2023

IN

EXECUTION APPLICATION NO. 323 OF 2022

Zenobia Poonawala (nee Ginwalla)	... Appellant
V/s.	
Rustom Ginwalla	... Respondent

WITH

INTERIM APPLICATION NO. 808 OF 2020

IN

EXECUTION APPLICATION 323 OF 2022

Farhad Ginwalla and others	... Applicant
<u>In the matter between :</u>	
Mr. Farhad Ginwalla and others	... Claimants
V/s.	
Zenobia Poonawala and others	... Respondents

WITH

INTERIM APPLICATION NO. 814 OF 2020

IN

EXECUTION APPLICATION 322 OF 2022

Farhad Ginwalla and others	... Applicant
<u>In the matter between :</u>	

Mr. Farhad Ginwalla and others	... Claimants
V/s.	
Zenobia Poonawala and another	... Respondents

WITH
INTERIM APPLICATION (L) NO. 8493 OF 2022
IN

Zenobia Poonawala (nee Ginwalla)	... Applicant (Original Respondent No.1)
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In the matter between :

Mr. Farhad Ginwalla and others	... Claimants
V/s.	
Zenobia Poonawala and others	... Respondents

WITH
INTERIM APPLICATION NO. 827 OF 2021
IN

Rustom Ginwalla	... Applicant
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In the matter between :

Mr. Farhad Ginwalla and others	... Claimants
V/s.	
Zenobia Poonawala and others	... Respondents

WITH
INTERIM APPLICATION (L) NO. 16668 OF 2024
IN

Rustom Ginwalla	... Applicant
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In the matter between :

Mr. Farhad Ginwalla and others	... Claimants
V/s.	
Zenobia Poonawala and others	... Respondents

WITH
INTERIM APPLICATION NO. 4132 OF 2022
IN

EXECUTION APPLICATION 323 OF 2022

Zenobia Poonawala (nee Ginwalla) ... Applicant (Original Respondent No.1)

In the matter between :

Mr. Farhad Ginwalla and others ... Claimants

V/s.

Zenobia Poonawala and others ... Respondents

WITH**INTERIM APPLICATION NO. 4945 OF 2022****IN****EXECUTION APPLICATION 323 OF 2022**

Rustom Ginwalla ... Applicant

In the matter between :

Mr. Farhad Ginwalla and others ... Claimants

V/s.

Zenobia Poonawala and others ... Respondents

Mr. Sameer Pandit alongwith Ms. Sarrah Khambati and Mr. Jai Sanyal instructed by Wadia Ghandy & Co., Advocate for the Applicant/Original Claimant No.2.

Mr. Nigal Quraishy alongwith Mr. Nadeem Shama, Mr. Rehmat Lokhandwala, Mr. Dushyant Krishnan, Mr. Prashant Bothre and Mr. Sidharth Seshadri instructed by PAN India Legal Services LLP, Advocate for the Respondent No.1.

Ms. Kritika Joshi instructed by Bhide & Associates, Advocate for Respondent No.5 – ICICI Bank.

Ms. Rhea Sinkar instructed by M/s. Nankani & Associates, Advocate for the Respondent No.8.

Mr. Mandar Lalsare, Advocate for the Kotak Mahindra Bank through video-conferencing.

CORAM : ABHAY AHUJA, J.
DATE : 14 AUGUST, 2024

P.C. :

1. Pursuant to the order dated 30th July 2024, today when the

matter is called out, Mr. Quraishy appears for Respondent No.1 and submits that as directed by this Court, an Affidavit has been filed with respect to the bank account statements from 3rd February 2022 till 16th April 2022 and also a communication has been addressed to the bank in respect of the statements not available with the Respondent No.1. Mr. Quraishy submits that a copy of the same has also been furnished to the learned Counsel for the Applicant.

2. Mr. Quraishy also seeks some time in the matter submitting that he has been recently briefed and would need some time to take instructions.

3. Let the said Affidavit be filed in the Registry.

4. Let Mr. Pandit take instructions on the said Affidavit.

5. The banks to whom the Respondent No.1/her Attorneys have addressed communication to comply with the same by the next date.

6. Mr. Mandar Lalsare appearing through video-conferencing for Kotak Mahindra Bank submits that the bank statements till date in respect of the Respondent No.1 held singly or jointly have been provided to the Respondent No.1.

7. Ms. Joshi appearing for the ICICI Bank as well as Ms. Sinkar appearing for the HDFC Bank also submit that they have provided bank account statements till date of Respondent No.1, singly or jointly to the

Respondent No.1.

8. By the next date, Mr. Quraishy to file an appropriate Affidavit with respect to the bank statements received, with a copy to the other side.

9. List on **3rd September 2024** on the **Supplementary Board**.

10. As recorded in earlier orders, the statement made in paragraph 17 of the order dated 16th April 2024 to continue until further orders.

(ABHAY AHUJA, J.)