

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  
WITH  
APPEAL (L) NO.16662 OF 2024  
IN  
INTERIM APPLICATION (L) NO.34480 OF 2023

|                                   |    |                          |
|-----------------------------------|----|--------------------------|
| Zenobia A. Poonawalla nee Ginwala | .. | Applicant/<br>Appellant. |
| v/s.<br>Rustom Ginwala            | .. | Respondent.              |

WITH  
INTERIM APPLICATION (L) NO.16668 OF 2024  
IN  
EXECUTION APPLICATION NO.323 OF 2022

|                                      |    |              |
|--------------------------------------|----|--------------|
| Rustom Ginwala                       | .. | Applicant    |
| v/s.<br>Farhad Ginwala and<br>Others | .. | Respondents. |

Mr. Sameer Pandit with Ms. Sarrah Khambhat and Mr. Jai Sanyal i/b.  
Wadia Ghandy & Co., for the Applicant/ Original Claimant No.2.  
Mr. Premlal Krishnan with Mr. Nadeem Shama, Rehmat Lokhandwala, Mr.  
Hrishikesh Nadkarni, Mr. Prashant Bothre and Mr. Siddharth Seshadri, for  
Respondent No.1 in IA(L) No.34480 of 2023.  
Mr. O. A. Das, for Respondent No.6- Bank of India.

**CORAM: FIRDOSH P. POONIWALLA,J.**  
**DATE : 17<sup>th</sup> MAY, 2024.**  
**(Vacation Court)**

**PC:-**

By an Order dated 16<sup>th</sup> April, 2024 passed by this Court, Respondent Nos. 3 and 4 were directed to jointly and severally deposit in this Court a sum of Rs.45 lakhs being the amount transferred by Respondent No.1 to Respondent No. 4 in violation of the Order dated 3<sup>rd</sup> February, 2023 and it was further directed that the same be applied towards execution of the Award.

2 By an Order dated 30<sup>th</sup> April, 2024, the time to deposit the said sum of Rs.45 lakhs was extended by a further period of two weeks.

3 The learned Counsel appearing on behalf of Respondents has sought further extension of time to deposit the said sum of Rs.45 lakhs in this Court.

4 The time to deposit the said sum of Rs.45 lakhs in this Court is extended by a period of two weeks from today.

5 The learned Counsel for the Respondents makes a statement that the same sum will be deposited in this Court by breaking the following Fixed Deposits lying with the Bank of India, Wodehouse Road Branch.

| Sr. No. | Account No./FD No. | Face Value of Fixed Deposit. |
|---------|--------------------|------------------------------|
| 1       | 001652710000474    | Rs.5,00,000/-                |
| 2       | 001652710000475    | Rs.5,00,000/-                |
| 3       | 001652710000476    | Rs.5,00,000/-                |
| 4       | 001652710000477    | Rs.5,00,000/-                |
| 5       | 001652710000478    | Rs.5,00,000/-                |
| 6       | 001652710000479    | Rs.5,00,000/-                |

|   |                 |               |
|---|-----------------|---------------|
| 7 | 001652710000480 | Rs.5,00,000/- |
| 8 | 001652710000481 | Rs.5,00,000/- |
| 9 | 001652710000482 | Rs.5,00,000/- |

6           The Bank of India, which is Respondent No.7 before this Court, to take all steps to permit the Respondents to break the said fixed deposits and deposit the said sum of Rs.45 lakhs in this Court.

7           It is made clear that, if the said sum of Rs.45 lakhs is not deposited in this Court within a period of two weeks from today, then no further extension will be granted, and the necessary consequences in law would follow.

8           As far as the interest accrued on these Fixed Deposits is concerned, all the contentions of all the parties are kept open.

9           Stand over to 12<sup>th</sup> June, 2024.

**(FIRDOSH P. POONIWALLA,J.)**