

kps

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

**NOTICE OF MOTION NO.1964 OF 2010**  
**IN**  
**SUIT NO.1965 OF 2010**

Jasmine S. Shah. ..Plaintiff  
-Versus-  
Mallika M. Jhaveri and others. ..Defendants

.....  
Mr.D.H.Mehta i/b Sudhir Shah & Associates, for the Plaintiff.  
Mr.Venkatesh Dhond with Mr.R.A.Shaikh, for the Defendant No.1.  
.....

**CORAM : S.C.DHARMADHIKARI, J.**  
**DATE : 05<sup>th</sup> January, 2011.**

**P.C.**

1 The grievance is made by both sides that despite being directed by this Court, the Indian Bank, Napean Sea Road Branch, Mumbai is not allowing the parties to encash the Fixed Deposit Receipts. These receipts are stated to be lying in the locker which locker is not permitted to be opened by the Chief Manager because there is no specific direction to that effect.

2 To my mind the order is clear inasmuch as when the Court directs that the Fixed Deposit Receipts be permitted to be prematurely encashed and the details of the same are also set out in the order, the Bank must comply with that order.

3            In these circumstances, the Registry is directed to forthwith to send oral intimation to the Chief Manager, Indian Bank, Napean Sea Road Branch, Mumbai to personally remain present today in the Court at 3:00 PM.

**(S.C. Dharmadhikari, J)**