

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**SUIT NO. 1427 OF 2019**  
**WITH**  
**INTERIM APPLICATION (L) NO. 4980 OF 2020**

Devika Sunil Jamdar ...Plaintiff  
*Versus*  
Serika Lal Alias Sarika Aggarwal & Ors ...Defendants

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**Mr DR Mishra**, *for the Plaintiff.*  
**Mr Yash Jain**, *i/b Halai & Co for Defendant No.1 in SL/1427/2019*  
*and for Respondent No.1 in IAL/4980/2020*  
**Ms Pinaz Contractor**, *for Defendant No.2.*  
**Mrs Swati Tari**, *Commissioner-appointed, present.*

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**CORAM: G.S. PATEL, J**  
**DATED: 5th March 2021**

**PC:-**

1. Pursuant to my order of 2nd March 2021, the process of inventory has been going on in my Court Room since yesterday. In the course of this inventory, in Box No. 1, File No. 5, they have found a duplicate share certificate No. 78 dated 16th June 1977 with the original stamp of the Shalaka Sangh CHSL along with a letter dated 6th March 2004 regarding the lost share certificate in respect of flat No. 308, and with the society's endorsement.

2. This document will need to be segregated and kept in safe custody. This is not the original share certificate but is the original *duplicate* share certificate issued by the Shalaka Sangh CHSL. This document with its accompaniments is to be removed from File No. 5 in Box No. 1. Copies are to be given to all those concerned and the original document as retrieved from the file (duplicate certificate No. 78 with its accompaniments) is to be retained by the Prothonotary and Senior Master in safe custody and safe keeping in sealed cover until further orders of the Court.

3. Also in Box No. 1, File No. 5, is a two-page document of 13th March 2007. This is a letter from the deceased, Justice Raghunandan Lal Aggarwal to one Mr MR Patil, then Honorary Secretary of the Shalaka Sangh CHSL. It asserts that the deceased submitted a nomination form of 10th March 2006 to the society, and then proceeded to seek a revocation and cancellation of that nomination. It is supposed to have been witnessed by two persons. On the document appears an endorsement apparently original of 14th March 2007 of the then Honorary Secretary of the society and there is also a rubber stamp to the left in blue/purple. This is obviously an original document — it is a file copy from the records of the deceased. Copies of this document will be given to all concerned and this document retrieved from Box No. 1, File No. 5, is to be kept in the safe custody of the Prothonotary and Senior Master of this Court along with the share certificate.

4. Ms Tari's costs for functioning as a Commissioner are fixed at Rs. 15,000/-. These costs are to be paid to her equally by all parties.

5. List the matter on 18th March 2021 for directions.
  
6. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production of a digitally signed copy of this order.

**(G. S. PATEL, J)**