

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
TESTAMENTARY & INTESTATE JURISDICTION  
TESTAMENTARY SUIT NO. 23 OF 1997  
IN  
TESTAMENTARY PETITION NO.381 OF 1996**

Smt. Yona Pinto           ...   Plaintiff

Vs.

Mr. Keith Pinto           ...   Caveator

Mr. Clive D'Souza for Plaintiff.

Ms. Geeta Sonawane i/by Denzil D'Mello for defendant.

**Coram : SMT. R.P. SONDURBALDOTA, J.**

**Date : 17th February 2012**

**P.C.**

1. The matter has been placed on the board for directions at the instance of the defendant, since Advocate, Mr. R.K. Desai, who was appointed as Commissioner for recording of evidence has expressed his inability to continue on account of his ailment. This is confirmed by Mr. D'Mello, the learned

Advocate appearing for the plaintiff. Therefore, the appointment of Mr. Desai is cancelled. Both the parties agree that Advocate, Mr.Nilesh Shirke be appointed as Commissioner for recording of evidence. Accordingly appointment of Mr. Nilesh Shirke is made.

2. The parties shall appear before the Commissioner on 24<sup>th</sup> February 2012 at 5 pm. for fixing up calendar for recording of evidence. Other directions as regards appointment of Commissioner shall be same as given in order dtd. 20<sup>th</sup> September 2011. The Commissioner shall complete the work of recording of evidence within a period of three months from today.

**(SMT. R.P. SONDURBALDOTA, J.)**