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

Smt. Yona Pinto ...Plaintiff
Versus
Mr. Keith Ivan Pinto ...Defendant

Mr.Nitin Raut, for the Plaintiff.
Ms.Geeta Sonawane, i/b Denzil D'Mello for the Defendants.

CORAM: G.S. PATEL, J
DATED: 8th March 2016

PC:-

1. Mr. Raut for the Plaintiff states that he has been unable to file the Evidence Affidavit of the further witness. It is common ground that the cross examination of the Plaintiff's first witness, an attesting witness to the Will propounded, has been completed on commission. The Plaintiff now seeks to examine herself and, subsequently, another witness who is stated to have witnessed the execution of a previous Will marked "X2" for identification. Mr. Raut will file the Affidavit of Evidence of this further witness on or

before 15th March 2016 with a copy to the Advocate for the Defendant.

2. I find from the order dated 23rd February 2016 that the evidence before Mr. Yogesh Gaikwad has already been scheduled on 22nd, 23rd, 25th and 31st March 2016. That schedule will remain unaltered. The Defendant will cross examine the Plaintiff first and then the witness who is stated to have witnessed to the execution of the previous Will.

3. List the matter for directions on 5th April 2016.

(G. S. PATEL, J.)