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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**

Yona Pinto ...Plaintiff
Versus
Keith Pinto ...Defendant

Mr.Nitin Raut, for the Plaintiff.
Mr.D. D'Mello, for the Defendant.

CORAM: G.S. PATEL, J
DATED: 28th October 2014

PC:-

1. The Plaintiff seeks to have three documents marked in evidence. The first is the original will of the deceased, Felix Pinto. The original is in the custody of the Court. The document is taken on record and marked as **Exhibit "P1"**. This marking is only for convenience and ease of reference, since evidence is proposed to be taken on commission. It does not indicate that the will has been proved. The Plaintiff will need to lead suitable evidence to prove the will.

2. The second document is a medical certificate dated 21st December 1995 issued by one Dr. J. Hebbar. This is marked X1 for identification.
3. The third document is previous will dated 10th November 1988 made by the deceased. This is marked X2 for identification. The Plaintiff will need lead to the evidence of the appropriate persons to prove the documents marked X1 and X2.
4. The Plaintiff has filed originals of the documents marked X1 and X2. The learned advocate for the Plaintiff are directed to take back the originals and substitute these with authenticated photocopies. The Plaintiff agrees and undertakes to preserve the originals and keep them in safe custody, and to produce them in Court or before the Commissioner as and when required or directed till the hearing and final disposal of the suit.
5. A Commissioner for recording evidence has already been appointed. Time for completing the recording of cross-examination on commission is extended. The Commissioner is requested to record the cross-examination of the Plaintiff as early as possible. The Plaintiff will thereafter lead the evidence of her subsequent witnesses. Those evidence affidavits are to be filed in Court. If any of the documents marked for identification are sought to be proved through subsequent witnesses, that will be done first in Court.
6. List the suit for directions on 2nd December 2014.

(G. S. PATEL, J.)