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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

**TESTAMENTARY SUIT NO.10 OF 2011
IN
TESTAMENTARY PETITION NO. 936 OF 2010**

Vilas Mahadeo More ... Plaintiff

v/s.

Pooja Prakash Jadhav ... Defendant

Mr. Mehul Rathod a/w Ms.Dhanashree Pawaskar & Darshana Vora
i/by M/s. KVT Legal for the Plaintiff.

Mr. Shobhit Shukla for the Defendant.

CORAM : KAMAL KHATA, J.

DATED : 24TH SEPTEMBER 2025.

P.C. :

1. The learned Advocate for the Plaintiff has tendered a list of documents. The documents from Serial No.3 to 13 shall be marked as Exhibit "P-3" to Exhibit "P-13". The table hereinbelow sets out the description of the documents along with Exhibit numbers:-

Sr. No.	Document	Existence Admitted/ Content Admitted	Existence Admitted/C ontent Denied	Existence Denied/ Content Denied	Exhibit Nos.
1.	Death Certificate of Prakash More		Yes		
2.	Marriage Certificate of (Defendant)	Yes			

3.	Letter dated 25.11.2021 by N.M. Joshi Police Station to ACP Central Control Room			Yes	P-3
4.	Letter dated 26.11.2021 from ACP Central Control Room			Yes	P-4
5.	Will dated 18.01.2005			Yes	P-5
6.	Gokul Nursing Home - case paper dated 16.09.2009			Yes	P-6
7.	Letter dated 17.09.2009 by Dr. Ashish Deshmukh			Yes	P-7
8.	Ambulance Service report dated 17.09.2009			Yes	P-8
9.	Indoor case paper of deceased in Sanjeevani hospital dated 17.09.2009			Yes	P-9
10.	Receipt of Rs. 50,000/- dated 21.09.2009 of Sanjeevani Hospital			Yes	P-10
11.	Receipt of Rs. 30,000/- dated 24.09.2009 of Sanjeevani Hospital			Yes	P-11
12.	Receipt of Rs. 40,000/- dated 02.10.2009 of Sanjeevani Hospital			Yes	P-12
13.	Bill of Rs. 1,27,407/- dated 03.10.2009 of Sanjeevani Hospital			Yes	P-13

2. The parties to initiate the cross examination.

3. The learned Advocate for both the parties have agreed to appoint Ms. Shraddha Achliya, Advocate, as Court Commissioner for recording of evidence of all the witnesses.

4. The details of Court Commissioner is as follows:

Name : Adv. Shraddha Achliya

Address : Chambers of Mr. Sharan Jagtiani,
Senior Counsel,
Oval House, Ground Floor, British Hotel Lane,
Off N.M.Road, Fort, Mumbai-400 001.

Mobile No.: 7710067668

Email : achliyasradha@gmail.com

- (a) The Commissioner shall record the demeanor of the witnesses in accordance with Order XVIII Rule 4(4) of the Code of Civil Procedure, 1908.
- (b) All cross-examination shall be conducted and recorded strictly in question-and-answer format.
- (c) The Commissioner shall have the discretion to direct video recording of the cross-examination, in whole or in part, for the Court's reference. Should that be done, the original audio-visual recording shall be submitted along with Commissioner's Report to the Registry.
- (d) Re-examination, if any, will be conducted in court.
- (e) The costs of the commission shall be borne equally by the parties.
- (f) The parties shall pay cost of Rs.500/- per hearing to the Court Clerk attending the Commission with Court papers. This is

to compensate for duties performed beyond regular working hours.

(g) The Commissioner shall not permit adjournments on prefixed dates, except whereby absolutely unavoidable. Mere inconvenience or unavailability of counsel shall not be considered sufficient ground.

5. The commissioner may endeavour to complete the recording of evidence within two weeks from the date of uploading of this order on the website of Bombay High Court.
6. The original documents, if required by the Plaintiff in any other legal proceedings, may be returned upon due application being made.
7. List the matter on 15th October 2025.

(KAMAL KHATA, J.)