

Dixit

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

**TESTAMENTARY SUIT NO.5 OF 2005**

**IN**

**TESTAMENTARY PETITION NO.226 OF 2004**

Cecilia Remynold D'Souza and Ors. .... Plaintiffs

V/s.

Ruby Cyril D'Souza and Ors. .... Defendants

Ms. Eventa G. Gonsalves for the Plaintiffs.

Mr. Johnson John for Defendant Nos.1, 2 and 4.

Mr. Vinod K. for Defendant Nos.3(a) and 3(b).

Mr. Ranjeev Carvalho, Court Commissioner, is present.

**CORAM : A.K. MENON, J.**

**DATED : 16<sup>TH</sup> JULY, 2019.**

**P.C. :**

1. Heard learned Advocates for the parties.
2. Time to complete recording of evidence of the plaintiff's first witness is extended, by consent, upto 26<sup>th</sup> July 2019. On behalf of the defendants, learned Advocate states that cross-examination will also be completed by 26<sup>th</sup> July 2019.

3. In view of the fact that the plaintiff's first witness is still being cross-examined, time to file report by the Commissioner is extended till 31<sup>st</sup> July 2019.
4. It is made clear that on the next date, the plaintiffs shall be ready with their second witness, who shall tender affidavit in lieu of examination-in-chief on that date, failing which the evidence on behalf of the plaintiffs will stand closed.
5. On behalf of defendant Nos.1, 2 and 4, learned Advocate states that he will be examining one witness, namely, Ms. Edna Remedius. In that event, affidavit-of-evidence on behalf of defendant nos.1, 2 and 4 shall be kept ready on the next date.
6. The term of the Commissioner stands extended accordingly.
7. S.O. to 31<sup>st</sup> July 2019.

(A.K. MENON, J.)