

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
SUIT NO. 1084 OF 1993**

Vikram Pratap Gohil and others ... Plaintiffs

vs.

Ranjit Premjibhai Gohil (since deceased) and others ... Defendants

**WITH  
INTERIM APPLICATION NO. 4008 OF 2022  
WITH  
INTERIM APPLICATION NO. 261 OF 2021  
WITH  
CHAMBER SUMMONS (PROTHONOTARY) NO. 1 OF 1997  
IN  
SUIT NO. 1084 OF 1993  
WITH  
TESTAMENTARY SUIT NO. 21 OF 1995  
WITH  
TESTAMENTARY SUIT NO. 41 OF 1993**

Ms. R. C. Nichani, i/b. Akshay Pawar for defendant Nos.1(b) and 1(c) in TS/21/95 and defendant No.2 in TS/41/93 and plaintiffs in S/1084/93.

Mr. Jayesh Bhatt for plaintiff in TS/21/95 and TS/41/1993 and defendant Nos.8, 13 and 14 in S/1084/93.

Mr. Bhupesh Dhumatkar a/w. Ms. Manisha Virkhare, Mr. Nandkishor Supal and Ms. Trupti Gage, i/b. Divya Shah Associates for defendant Nos.12(a) and 12(b) in S/1084/93, defendant Nos.1(a) and 1(b) in TS/21/95 and defendant Nos.4(a) and 4(b) in TS/41/93.

Mr. Hemant P. Ghadigaonkar a/w. Ms. Pallabi Chatterjee for legal heirs of respondent No.4 in TS/21/95 and TS/41/1993.

**CORAM : MANISH PITALE, J.**

**DATE : 12<sup>th</sup> MARCH, 2024**

**P.C. :**

. In pursuance of order dated 27.02.2024, the Prothonotary and Senior Master of this Court has submitted a report dated 05.03.2024. It is stated that in the light of a judicial order passed by this Court clubbing the

testamentary suits with Suit No.1084 of 1993, which is in the list of cases transferred to the City Civil and Sessions Court due to change in pecuniary jurisdiction, upon verifying the records, the papers pertaining to Suit No.1084 of 1993 have been retained in this Court. Copies of the report have been furnished to the learned counsel appearing for the parties.

2. The learned counsel appearing for defendant Nos.8, 13 and 14 in Suit No.1084 of 1993 submits that despite the aforesaid report of the department, this Court may consider the question as to whether the course of action of retaining the papers of Suit No.1084 of 1993 in this Court, would be correct, in order to obviate any possibility of question regarding jurisdiction of this Court being raised, upon the suits being finally decided.

4. Since an important question arises, the learned counsel for the parties shall submit their written submissions within one week from today.

5. List the proceedings for consideration of the aforesaid question on 04.04.2024 at 02:30 p.m.

**(MANISH PITALE, J.)**

*Priya Kambli*