

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

TESTAMENTARY SUIT NO. 5 OF 1999

IN

TESTAMENTARY PETITION NO. 806 OF 1998

Pradeep Kumar Anand] Plaintiff
Vs.
Dilip Kumar Anand] Defendant

.....

Mr. M.G. Gawde, for plaintiff.

Mr. Dharmesh Pandya i/b Ms. Chhaya Pandya, for defendant.

.....

CORAM : R.G. KETKAR, J.

DATE : 29th AUGUST, 2017.

P.C.:

Heard Mr. M.G. Gawde, learned Counsel for the plaintiff and Mr. Pandya, learned Counsel for the defendant.

2. Mr. Pandya states that in the order dated 12th July, 2017, it is wrongly recorded that Mr. Behramkamdin, learned Counsel for the defendant has conducted examination-in-chief instead of Ms. Chhaya Pandya, learned Counsel for the defendant. Mr. Gawde does not dispute this position.

3. In view thereof, the following sentence in the order dated 12th July, 2017;

“Examination in Chief of the witness by **Mr. Behramkamdin**, learned Counsel appearing **on behalf of the plaintiff**”.

shall stand substituted by the following sentence;

“Examination in Chief of the witness by **Ms. Chhaya Pandya**, learned Counsel appearing **on behalf of the defendant**”.

4. Accordingly, the following sentence appearing in the said order;

“Learned Counsel for the **plaintiff** tenders the affidavit in lieu of examination-in-chief dated 5th July, 2017”

shall be substituted by;

“Learned Counsel for the **defendant** tenders the affidavit in lieu of examination-in-chief dated 5th July, 2017”

5. Order dated 12th July, 2017 stands corrected accordingly. Rest of the order remains as it is.

[R.G. KETKAR, J.]