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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
TESTAMENTARY & INTESTATE JURISDICTION

TESTAMENTARY SUIT NO.41 OF 1993  
IN  
TESTAMENTARY PETITION NO.196 OF 1993

Prasankunver P. Gohil & Ors. ...Plaintiffs  
V/s.  
Pratap P. Gohil & Ors. ...Defendants

WITH  
TESTAMENTARY SUIT NO.21 OF 1995  
IN  
TESTAMENTARY PETITION NO.13 OF 1995

P. P. Gohil ...Plaintiff  
V/s.  
Pratap P. Gohil & Ors. ...Defendants

TESTAMENTARY PETITION NO.1084 OF 1993

Mr.Jayesh Bhatt for the Plaintiff in T.S. No.21 of 1995.

Ms.Manisha Virkhare I/b Vidya Shah Associates for the Defendant Nos.4 in T.S. No.41 of 1993 and for the Defendant No.1 in T.S. No.21 of 1995.

Ms.R.C. Nichani I/b Mahesh Jani & Associates for the Plaintiff in T.P. No.1084 of 1993 and for the Defendant No.2 in T.S. No.41 of 1993 and the T.S. No.21 of 1995.

Mr.Sujit B. with Mr.Hemant Ghadigaonkar I/b Mr.Madhav Jamdar for the Defendant No.4.

**CORAM : R.D. DHANUKA, J.**  
**DATE : 29TH JANUARY, 2019.**

**P.C. :-**

1. Ms.Nichani, learned counsel appearing for the plaintiff in the Testamentary Petition No.1084 of 1993 and for the defendant no.2 in Testamentary Suit No.41 of 1993 and the Testamentary Suit No.21 of 1995 on instructions states that the evidence of her client is already closed. The statement is accepted.

2. Learned counsel appearing for the defendant no.3 in the Testamentary Suit No.41 of 1993, for the defendant no.4 in the Testamentary Suit No.21 of 1995 and for the defendant no.3 in the Testamentary Petition No.1084 of 1993 on instructions states that the evidence of her clients is already closed. The statement is accepted.

3. The other defendants who have not made any statements so far before this Court about their evidence so far shall make a statement before this Court on the next date, failing which their evidence will be treated as closed. The plaintiff in the Testamentary Suit No.41 of 1993 and the Testamentary Suit No.21 of 1995 is also directed to make similar statements before this Court on the next date, failing which it would be presumed that the evidence of the plaintiff in those testamentary suits also is closed.

4. Insofar as marking of the documents which are not marked so far is concerned, the parties are directed to exchange the statement of admission and denial in respect of such documents

within one week from today. Place all the matters on board for marking of the documents on 12<sup>th</sup> February, 2019. Ms.Nichani, learned counsel for the plaintiff in the Testamentary Petition No.1084 of 1993 and for the defendant no.2 in Testamentary Suit No.41 of 1993 and the Testamentary Suit No.21 of 1995 tenders additional compilation of documents of her client in Testamentary Petition No.1084 of 1993. She submits that a copy of such compilation of documents has been already served upon the other parties. The statement is accepted. Additional compilation of documents is taken on record. Insofar as the admissibility of these documents also is concerned, the same also would be decided on the next date. All the parties are directed to file statement of admission and denial in respect of these documents also as directed aforesaid within the time contemplated.

5. Stand over to 12<sup>th</sup> February, 2019.

**(R.D. DHANUKA, J.)**