

Ajay

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

TESTAMENTARY SUIT NO. 24 OF 2023

Nipun Navanit Mehta .. Plaintiff
Versus
Neeta Harshkant Mehta .. Defendant

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- Mr. Vivek Kantawala, Advocate i/by Z.A.K. Najam-es-Sani for Plaintiff.
 - Mr. Aseem Naphade a/w. Rutwiz Bapat and Ms. Smita Durve, Advocates i/by Arshil Shah for Defendant.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 08, 2025.

P.C.:

- 1.** Heard Mr. Kantawala, learned Advocate for Plaintiff and Mr. Naphade, learned Advocate for Defendant.
- 2.** The following four documents are marked as Exhibits 'P-1' to 'P-4' in evidence by consent of both parties.
- 3.** Document P-1 is the original letter and document P-2 is the certified copy of Agreement for Sale. All contentions of Defendants in respect of contents of the said documents are expressly kept open. Document P-3 is the printed copy of email filed alongwith Section 65B certificate. All contentions of Defendants in respect of contents of the email are expressly kept open. Document P-4 is original letter and hence marked as Exhibit.

4. For convenience, the description of document is given herein below:-

Sr. Nos.	Date	Particulars	Exhibit No.
1.	07.12.2011	Original letter addressed by the deceased to the Plaintiff.	P-1
2.	23.12.2015	Certificate Copy of the said Agreement for Sale for NSC Bose Road property formerly known as China Bazar Road.	P-2
3.	27.01.2022	Printed copy of email addressed by Defendant No. 1 to the Plaintiff along with scanned copy of Agreement for Sale for NSC Bose Road property formerly known as China Bazar Road.	P-3
4.	29.09.2001	Original letter addressed by the deceased to the Plaintiff	P-4

5. Affidavit-in-lieu of Examination-in-Chief of Plaintiff dated 07.05.2024 is taken on record. That apart, additional Affidavit-in-lieu of Examination-in-Chief dated 24.06.2024 of Plaintiff is also taken on record.

6. The Court Commissioner appointed by this Court previously is directed to complete cross-examination and re-examination of Plaintiff's witness who has filed the aforementioned Affidavits-in-lieu of Examination-in-Chief within a period of six weeks from today on the same terms and conditions.

7. Parties shall cooperate with the learned Court Commissioner in completing the cross-examination / re-examination.

8. Liberty to apply in case of any difficulty.

9. Court Commissioner is directed to file his Report by 26.11.2025.

10. Stand over to 26th November 2025.

[MILIND N. JADHAV, J.]

Ajay

Digitally signed
by AJAY
TRAMBAK
UGALMUGALE
Date:
2025.10.09
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