

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

TESTAMENTARY SUIT NO.21 OF 2006
WITH
SUIT NO.1186 OF 2004
WITH
INTERIM APPLICATION NO.742 OF 2025
IN
SUIT NO.1186 OF 2004

Mohan Gurbaxani & Another .. Plaintiffs.
v/s.
Maharukh Oomrigar & Others .. Defendants.

Mr. Kirti Munshi, Senior Advocate with Adv. Sneha Phene with Adv. B. G. Saraf and Adv. Suyash Kalbhar, for the Plaintiffs.
Adv. Ronak Shah with Adv. Anushka Divakaran and Adv. Jay Vyas i/b. Dhru & Co.,for Defendant No.3.

CORAM: FIRDOSH P POONIWALLA,J.
DATE : 17th NOVEMBER, 2025.

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1 Place the matter for final hearing on 16th December, 2025 at 3.00 p.m.

2 On a perusal of the issues framed by this Court as recorded in the Order dated 17th September, 2008, it is clear that the burden to prove Issue No.1 is on the Plaintiff whereas the burden to prove Issue Nos. 2 to 6 are on the Defendants. Therefore, the Plaintiff will open and argue on Issue No.1 and immediately thereafter, the Defendants will respond to Issue No.1 and argue on Issue Nos.2 to 6. Thereafter, the Plaintiff will respond to Defendants' arguments on Issue Nos. 2 to 6.

(FIRDOSH P. POONIWALLA,J.)