



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION (L) NO. 6900 OF 2023  
IN  
ORIGINATING SUMMONS NO. 1 OF 2021**

Gautam Chordia ...Applicant

**In the matter between**

Dr. Farookh Wadia And Anr ... Plaintiffs

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Mr. Darius J. Khambata, Sr. Counsel a/w Mr. Aditya Mehta i/by  
Dastur Kalambi and Associates -Advocate for the Plaintiffs  
Mr. Atharva Date i/by Shubham Misar - Advocate for the  
Intervenor

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**CORAM : S. M. MODAK, J.**

**DATE : 11<sup>th</sup> SEPTEMBER 2023**

**P. C. :-**

1. Heard learned Senior Advocate Shri Khambata for the Plaintiffs. He explained to me about the proceedings of the original summons. According to him, the testator/Karl Khandalwala has already handed over the paintings to the earlier Prince of Wales Museum now Chatrapati Shivaji Maharaj Vastu Sangralaya. In his will, the testator has earlier expressed wish to keep all these paintings in his wife's bungalow-Rohita at Pune. However during his lifetime he has already handed over them to the museum. So according to him,



the only issue arisen in this proceedings is whether the bequest was special bequest or general bequest that is why these proceedings are initiated.

2. During pendency of this proceedings, the present Applicant wants intervention. According to him, the intervention is not required because except making a reference about email sent by him to the Applicant informing that said intervenor has applied before the Joint Charity Commissioner, Pune, there are no allegations. Hence intervention is not required. In the e-mail, the intervenor has made a grievance about non utilization of the Pune bungalow.

3. As learned Senior Advocate Shri Anturkar appearing for him, is unable to attend the Court due to fracture adjournment is sought.

4. So let both the proceedings be kept on **13<sup>th</sup> October, 2023.**

**[S. M. MODAK, J.]**