

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY*****ORDINARY ORIGINAL CIVIL JURISDICTION*****MISC. PETITION NO. 20 OF 2003****IN****TESTAMENTARY PETITION NO. 1014 OF 1999****Mrs. Madhu Ramchand Lund****..... Petitioner****VERSUS****Chandulal Bhagwandas Hinduja & Ors.****..... Respondents**

None for the Petitioner.

Mr.N.N.Amin for Respondent Nos. 1 and 2.

Ms.S.T.Shaikh, M/s.S.K.Srivastava &amp; Co. for Respondent No.4.

**CORAM : R.D. DHANUKA, J.****DATED : 17<sup>th</sup> JULY, 2013****P.C.**

Respondent nos. 1 and 2 have made two applications for issuance of witness summons and desires to summon the Principal/Head Master and/or such responsible officer of the school described in paragraph (3) of the applications for proving two documents which have been marked by this court for identification as 'Y-1' and 'Y-2' respectively. Evidence of the first witness being examined by the 1<sup>st</sup> respondent is being completed shortly and the matter is now pending for re-examination of the 1<sup>st</sup> witness of the 1<sup>st</sup> respondent.

2. On perusal of the application for issuance of witness summons, I am satisfied that respondent no.1 deserves to be granted relief as sought in prayer (a) for issuance of witness summons to the Principal of the school. Application dated 18<sup>th</sup> July, 2013 is accordingly made absolute in terms of prayer (a).
3. It is made clear that respondent no.1 would be entitled to examine the witnesses only after closer of evidence of the first witness. No order as to costs.
4. Place the matter on board for direction on **5<sup>th</sup> August, 2013**.

**[R.D. DHANUKA, J.]**