

witnesses are not filed by the next date, the Plaintiff's evidence is liable to be closed. The matter has thereafter been shown on the board on 29th April 2022, but could not reach due to paucity of time and accordingly stood over till today.

3. Mr. Shroff has stated that out of the remaining four witnesses, Dr. Pravina Shah is not co-operating and accordingly steps will be taken against her for securing her presence. Mr. Shroff has further stated that Dr. Dhanwanti Aroon Khambadkone is incoherent. He states that Application will be taken out by the Plaintiff seeking an examination of her by the Court appointed Commissioner to ascertain whether she is in a position to give evidence. Mr. Shroff further states that the remaining two witnesses viz. Mr. Aroon Khambadkone and Mrs. Shalini Shenoy will be produced before this Court on the next date for the purposes of taking their Affidavits-in-lieu of examination-in-chief on record as well as for issuance of further directions for recording of their cross-examination. The statement of Mr. Shroff on behalf of the Plaintiff is accepted.

4. Mr. Aroon Khambadkone and Mrs. Shalini Shenoy - witnesses of the Plaintiff shall remain present on the next date for

taking their Affidavit-in-lieu of examination-in-chief on record and for issuance of directions to the Court appointed Commissioner for recording their cross-examination.

5. List the Testamentary Suit No.26 of 2007 on 4th August 2022 on Supplementary Board.

(R. I. CHAGLA, J.)