

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

TESTAMENTARY SUIT NO.26 OF 2007

Dr. Hemang D. Koppikar ...Plaintiff

*Versus*

Smt. Shakuntala Gajanan Kulkarni  
(Deleted Since Deceased) ...Defendant

\* \* \* \*

Mr. Karl Shroff i/by Pravinkumar Upadhyay for Plaintiff.

\* \* \* \*

CORAM : R. I. CHAGLA, J.

DATED : 27<sup>th</sup> SEPTEMBER, 2022

**ORDER :**

1. The matter is mentioned. Not on board, taken on board.
2. By praecipe dated 27<sup>th</sup> September 2022, reference has been made to prior order dated 12<sup>th</sup> September 2022, by which directions were issued for carrying the Original Will to be presented before the Court Commissioner for cross-examination of the attesting witness. This is borne out from para 2 of the said order. Application is made by way of praecipe for extending this direction to the cross-examination of the other attesting witness fixed on 8<sup>th</sup> October 2022.

3. Having considered the directions in the order dated 12<sup>th</sup> September 2022, the direction issued in para 2 of the said order is extended to the cross-examination of the other attesting witness fixed on 8<sup>th</sup> October 2022. Accordingly, the Testamentary Department shall assign responsible person from the Department to produce the Original Will before the Commissioner recording the evidence on 8<sup>th</sup> October 2022 at 11.00 a.m. at Room No.66, Ali Chambers, Tamrind Lane, Fort, Mumbai, for limited purpose of the attesting witnesses identifying their signatures and that of the Testatrix of the Original Will. As soon as this is done, the concerned responsible person of the Testamentary Department shall once again return the Original Will to the file of this Court.

4. Accordingly, Application by way of praecipe is disposed of.

(R.I. CHAGLA, J.)