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

TESTAMENTARY SUIT NO.26 OF 2007

IN

TESTAMENTARY PETITION NO.1015 OF 2006

Dr. Hemang Dayashankar Kopikar ..Plaintiff

v/s.

Shakuntala Gajanan Kulkarni

(deleted since deceased)through Lrs

Gajanan Kulkarni & Ors.

..Defendants

WITH

NOTICE OF MOTION NO.128 OF 2011

IN

MISCELLANEOUS PETITION NO.59 OF 2011

Mr. Karl Shroff i/b. Praveen Upadhyay for the plaintiff.

Mr. Nishant Tripathi a/w Vaibhav B. i/b. M. Tripathi & Co. for the defendants.

CORAM : A.K. MENON, J.

DATED : 4TH FEBRUARY, 2020.

P.C. :

1. Mr. Shroff tenders list of witnesses. Amongst the affidavits of evidence of the five witnesses, Dr. Kopikar has already been examined and cross examined. His evidence has been concluded. The evidence of all the

four witnesses or such of them the plaintiff proposes to examine shall be filed on or before 25th February, 2020.

2. If affidavits of witnesses are not filed by the next date plaintiff's evidence is liable to be closed.
3. Liberty to apply after filing of the affidavits of the witnesses.
4. In the meantime, in the order dated 28th January, 2020, paragraph 1, on page 2, line no.3, "defendant" shall be replaced with "plaintiff" and the date "11th February" shall be replaced with "4th February".
5. In paragraph 2, the date "11th February" shall be replaced with "4th February".

(A.K. MENON, J.)

wadhwa