

Ajay

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

TESTAMENT SUIT NO. 72 OF 2017
IN
TESTAMENTARY PETITION NO. 802 OF 2014

Dinesh Chand Gupta .. Plaintiff
Versus
Shashi Wd/o Keshavchandra Dwivedi Caveator /
.. Defendant

-
- Mr. Nitin R. Gandhi, Advocate for Plaintiff.
 - Mr. Omprakash Pandey a/w. Ms. Suchita Pandey and Ms. Pramila Prajapati, Advocates for Defendant.
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CORAM : MILIND N. JADHAV, J.

DATE : JULY 03, 2023.

P.C.:

- 1.** Heard Mr. Gandhi, learned Advocate for Plaintiff and Mr. Pandey, learned Advocate for Defendant.
- 2.** Mr. Gandhi has drawn my attention to the order dated 30.01.2023 and would submit that in paragraph No.3 of the said order there is a typographical mistake i.e. the order dated 07.02.2017 be read as 02.05.2017.
- 3.** He would next submit that the directions contained in paragraph Nos.2 and 3 of the order dated 30.01.2023 stand complied with. Affidavit of evidence of the witnesses has been filed in the Department and copies have been given to Mr. Pandey, Advocate for Defendant.

4. Next he would submit that the Plaintiff desires to file additional Affidavit of Mr. Manoj Gupta which is noted by this Court in paragraph No.4 of the order dated 31.01.2023.

5. He would submit that copy of the said additional Affidavit of Mr. Manoj Gupta has been given to Mr. Pandey, learned Advocate for the Defendant. Considering the Application of the Plaintiff that such additional Affidavit be taken on record, as per order dated 31.01.2023 the same is taken on record subject to payment of costs of Rs.5,000/-. It is directed that these costs shall be paid by the Plaintiff to the Defendant within a period of two weeks from today. Subject to payment of costs, further directions shall be passed by this Court on the next adjourned date and this Court shall undertake the exercise of marking of documents.

6. Both the learned Advocates are directed by the Court to complete the admission and denial of documents which are exchanged between them and accordingly inform the Court on the next adjourned date.

7. Stand over to **17th July, 2023.**

[MILIND N. JADHAV, J.]