

Sharayu Khot.

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

TESTAMENTARY SUIT NO. 35 OF 2008
IN
TESTAMENTARY PETITION NO. 100 OF 2008

Ashokan Balkrishnan Kundal ..Plaintiff

Versus

Suresh Prabhakar Karippara ..Defendant

Mr. Nirman Sharma a/w Mr. Paras Oza i/by Deepesh Yadav for
the Plaintiff.

Ms. Purnima G. Bhatia for the Defendant.

Mr. Suresh Prabhakar Karippara present in person.

CORAM : R.I. CHAGLA J
DATE : 13 October 2021

1. The witness who is the Defendant is present in
Court. He has filed Affidavit in lieu of examination in chief
dated 10th August 2021.

Examination in Chief of Mr. Suresh Prabhakar Karippara
(DW.1) on S.A

I have affirmed the Affidavit in lieu of examination
in chief. Whatever has been stated by me in the Affidavit in lieu

of examination in chief is to my personal knowledge. The contents of Affidavit are true and correct.

P.C. : The Affidavit in lieu of examination in chief of Mr. Suresh Prabhakar Karippara (DW.1) is taken on record and marked as **Exhibit "D-1"**.

The original documents form part of my Affidavit in lieu of examination in chief and include the following :

- (i) The rent receipt dated 25th March 1975 issued by the landlords in the name of the father of the deceased K.S. Govindan.

P.C. : Since the rent receipt dated 25th March 1975 is in original, it is taken on record and marked as **Exhibit "D-2"**.

- (ii) Licence under Rule 5(3) of the Maharashtra Prevention of Food Adulteration Rules, 1962 issued by the R-Ward, Borivali in the name of father of the deceased K.S. Govindan.

P.C. : Since the licence is in original, it is taken on record and marked as **Exhibit "D-3"**.

(iii) Electricity bill dated 29th September 1992 issued by the BSES Ltd., Bombay in the name of father of the deceased K.S. Govindan.

P.C. : The electricity bill is in original and is taken on record and marked as **Exhibit "D-4"**.

(iv) Electricity bill for the month of June 2006 issued by the BSES Ltd., Bombay in the name of father of the deceased K.S. Govindan.

P.C. : The electricity bill is in original and is taken on record and marked as **Exhibit "D-5"**.

The presence of witness Suresh Prabhakar Karippara (DW.1) is dispensed with.

2. By consent of the parties, learned Counsel Mrs.

Savita Ganoo is continued as a Commissioner and is requested to record the cross-examination of the Defendant's witness. Rest of the directions concerning the appointment of the Commissioner shall be the same as in the order dated 19th June 2018.

[R.I. CHAGLA J.]