

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 48 OF 2023
IN
TESTAMENTARY PETITION NO. 550 OF 2022

Geeta Mukesh Shah

...Plaintiff

Versus

Rashmi Mafatlal Choksi

...Defendant

WITH
INTERIM APPLICATION (L) NO.16807 OF 2024
WITH
TESTAMENTARY SUIT NO.50 OF 2023
WITH
INTERIM APPLICATION (L) NO.16742 OF 2024

Mr. Jeyhaan Carnac i/b Mulla & Mulla for Plaintiff.

Mr. A. K. Singh a/w Mr. Piyush A Singh & Mr. K. A. Singh for Defendant

CORAM : ARIF S. DOCTOR, J.

DATED : 16th APRIL 2025

P.C. :

INTERIM APPLICATION (L) NO.16807 OF 2024
WITH
INTERIM APPLICATION (L) NO.16742 OF 2024

1 When the matter was called out, the learned counsel appearing on behalf of the plaintiff correctly pointed out that the present interim applications are not maintainable since it sought relief which were based on title. In support of his contention he placed reliance upon the judgment of this court in the case of

Rupali Mehta Vs. Smt. Tina Narinder Sain Mehta¹

¹ 2006 (6) Mh L.J. 786

2 The learned counsel appearing on behalf of the applicant/defendant on being confronted submitted that he did not wish to press the interim applications but sought leave to adopt appropriate remedies as may be available in law.

3 Hence interim applications are dismissed as withdrawn with liberty as prayed for.

4 List the Suit for framing of issues on 13th June 2025.

(ARIF S. DOCTOR, J.)