

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

**TESTAMENTARY SUIT NO.42 OF 2012
IN
TESTAMENTARY PETITION NO.64 OF 2011**

Dr.Govindaraja Venkatesh Iyengar .. Plaintiff
Vs.
A.R.Sampatkumar .. Defendant

**ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO.603 OF 2013**

Dr.Govindaraja Venkatesh Iyengar .. Plaintiff
Vs.
Sudhir Janardhan Raut & Ors. .. Defendants

Mr.Avinash Joshi I/by Mulla & Mulla Craigie Blunt & Caroe for the plaintiff.

Mr.Ajay Fernandes i/by R.Peerbhoy for the defendant no.6 in suit no.603 of 2013.

Mr.A.R.Sampatkumar, defendant no.2 in suit no.603 of 2013 in person present.

**CORAM : R.D. DHANUKA, J.
DATE : 4th March 2019**

P.C.:

. The defendant no.2 states before this Court that the defendant no.1 has expired on 19th February 2019 and tenders a copy of the death certificate. He further states that he has already engaged an advocate Mrs.Lakshmi M.Kadam who has already filed vakalatnama in Suit No.603 of 2013. He agrees to furnish the names of the legal heirs of the defendant no.1 to the learned advocate for the plaintiff within one week from today. Statement is accepted.

2. The plaintiff would be at liberty to file a chamber summons or any other proceedings for brining the legal heirs of the deceased defendant no.1 on record. The defendant no.2 states that he would like to file certain documents which according to him are already forming part of the record. He has served a copy of the said documents upon the plaintiff's advocate today.

3. Learned counsel for the plaintiff states that he would inform this Court whether these documents are already forming part of the evidence or part of the record or not and would make an appropriate statement on the next date. Statement is accepted.

4. Place the matter on board for 'Directions' on 1st April 2019.

R.D. DHANUKA, J.