



Sharayu Khot.

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

TESTAMENTARY PETITION NO. 127 OF 1994

Adeline Rodrigues **...Administrator**

In the matter between

Nusserwanji Dorabji Seerwai **...Deceased**

And

Girish Nautmal Jani & Anr. **...Respondents**

Ms. Sonal a/w Ms. Khyati Ghevaria, Ms. Aastha Mehta i/by
Dhru & Co. for the Noticee No. 1.

Mr. S.J. Khera for the Noticee No. 3.

Ms. Akanksha Patil iby Ms. Pushpa Thapa for the Respondent
No. 2.

M. Khan appears for Adv. Mr. Dharmesh Joshi.

Mr. M.J. Humranwala with Ms. Rukaiya Mehuwala iby
Mahernosh Humranwala for Dorab Seerwai (Legal Heirs of
Rusi Seerwai).

CORAM : R.I. CHAGLA J

DATE : 10 December 2021

ORDER :

1. By an order dated 30th March 2021, it was recorded that the Report No. 6 and Report No. 7 are awaiting adjudication and that all the Affidavits in Report No. 6 and



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Report No. 7 shall be filed and served on or before 19th April 2021. There will be no further Affidavits after that date.

2. Learned Counsel appearing for the Respondent No.1-Girish Jani and the learned Counsel appearing for the Noticee No. 3-Gul Kripalani have requested for extension of time to file their Affidavits in Report No. 6 and Report No. 7.

3. Mr. Humranwala, the learned Counsel appearing for Dorabji Seerwai, who is not a party to the Petition, states that he represents Dorabji Seerwai in whose favour the Letters of Administration have been granted pursuant to the death of Rusi Seervai who had been previously granted Letters of Administration of the assets of the deceased Nusserwanji Dorabji Seerwai and he craves leave to put in an Affidavit to bring these facts on record.

4. There is also a Suit filed by the Noticee No. 1-Linky Hotels and Shopping Spot Pvt.Ltd. as well as counter Suit filed the Girish N. Jani, both claiming that they have a right in respect of the Mehrabad property.



5. All Affidavits in Report No. 6 and Report No. 7 shall be filed and served on or before 23rd December 2021.

6. The Administrator is also permitted to file Affidavit in Rejoinder to the Affidavits filed in Report No. 6 and Report No. 7 within one week thereafter i.e. on or before 30th December 2021.

7. List the Report No. 6 and Report No. 7 on 14th January 2022.

[R.I. CHAGLA J.]