



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

TESTAMENTARY PETITION NO. 127 OF 1994

Nusserwanji Dorabji Seervai

...Deceased

And

Girish Nautmal Jani & Anr.

...Respondents

WITH
INTERIM APPLICATION NO. (L) 8575 OF 2023
IN
TESTAMENTARY PETITION NO. 127 OF 1994

WITH
ADMINISTRATOR'S REPORT NO.6
(NOT ON BOARD)

WITH
ADMINISTRATOR'S REPORT NO.7
(NOT ON BOARD)

WITH
ADMINISTRATOR'S REPORT NO.8
(NOT ON BOARD)

Ms. Adeline Rodrigues, Administrator present.

Mr. Tushad Kakalia i/by Adv. Pushpa Thapa for Respondent No.2 in
TP/127/2014.

Adv. Ronak Shah i/by Dhru & Co. for Noticee No.1.

Adv. Anuj Nar. a/w. Adv. Sayeed Y. Mulani and, Adv.Shobhana R. Waghmare
i/by Mulani & Co., for Noticee No.2.

Mr. Mahernosh Humranwala a/w. Mrs. Henna shah i/b. Mahemash Humranwal
for F. Seervai, Heir and legal Representative of Rusi Seervai.



CORAM : ARIF S. DOCTOR, J.

DATE : 18th April, 2023

P.C. :

1. When the matter was called, the Administrator pointed out that Report No.8 though filed not on board.
2. Learned Counsel appearing on behalf of Respondent Nos. 1 and 2 requested for time to file Affidavits in Reply to the said Report No.8.
3. Mr. Kakalia, learned Counsel appearing on behalf of the Respondent No.2 submitted that his client had also filed an Interim Application being Interim Application (L)No. 8575/2023 and the same also ought to be heard along with the present Administrator's Report.
4. Mr. Humranwala, learned Counsel appearing for one of the beneficiaries under the will namely Rusi Seerwai, submits that he is named as a party to the Report and has thus filed Affidavits in Reply to the Report Nos.6 and 7, however, the same have not been taken on record.
5. Office is therefore, directed to accept the said Affidavit in Reply, copies of which have already been served upon all the concerns.



6. All parties are granted liberty to file their respective Affidavits in

Reply to Report Nos. 6, 7 and 8 on or before 2nd May, 2023.

7. The Administrator today filed an Affidavit in Rejoinder to the Affidavit in Reply of Respondent No.1. The same is taken on record.

8. The Administrator today pressed for prayer No. (D) of Report No.6

which is as follows:-

“(D) To permit the Administrator to withdraw a sum of Rs.2,000/- Rupees Two Thousand Only borne out of her pocket towards the expenses as shown in the table above from the Savings Bank Account opened in the name of the deceased.

9. There is no opposition to this request, the same is therefore,

allowed.

10. Place the matter for hearing on 13th June, 2023.

(ARIF S. DOCTOR, J.)