



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
TESTAMENTARY & INTESTATE JURISDICTION  
TESTAMENTARY PETITION NO. 127 OF 1994  
IN  
TESTAMENTARY SUIT NO. 57 OF 1994  
ALONGWITH  
CHAMBER SUMMONS (LODG) NO. 47 OF 2012**

Nusserwanji Dorabji Seervai ..... Deceased  
AND  
Girish Natumal Jani & anr. .... Petitioners

Mr. Satish Kamat with Mr. Chetan B. Raithatha, Advocate for petitioner no.1.  
Ms. Mahek B. Shetty, Advocate for petitioner no.2.  
Ms. Sanobar P. Nanavati, Advocate for the applicant.

**CORAM :- Smt. R.P. SondurBaldota, J.**

**15<sup>th</sup> March, 2012.**

**P.C. :**

1. This petition was amended after the death of the original petitioner and petitioner no.1 was brought on record as the representative of the original petitioner. It was once again amended on 5<sup>th</sup> December, 2011 to join petitioner no.2 as a party to the petition. Today, both the petitioners are being represented by separate lawyers. It is also clear that there are disputes *inter-se* the petitioners. Since there cannot be separate set of lawyers appearing for the petitioners, it is necessary that one of the petitioners is transposed as a 'respondent'. Ms. Shetty, the learned Counsel appearing for petitioner no.2 seeks time to file an application for transposition. Mr. Satish Kamat, learned



\* 2 \*

TP-127-1994  
2019:BHC-OS:19822  
Thurs, 15 March, 2012

Counsel appearing for petitioner no.1, requests that he be discharged from the proceedings, since petitioner no.1 desires to engage Mr. Raithatha to represent him. Mr. Raithatha, undertakes to file appearance on behalf of petitioner no.1 within a period of one week from today. Stand over by one week.

[SMT. R.P. SONDURBALDOTA, J]