

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

**TESTAMENTARY SUIT NO. 65 OF 2009
IN
TESTAMENTARY PETITION NO. 696 OF 2008
WITH
TESTAMENTARY SUIT NO. 58 OF 2009
IN
TESTAMENTARY PETITION NO. 695 OF 2008**

Prasad T. Tendolkar	.. Plaintiff
Vs.	
1) Seema Rebendra Datta Anee	
Seema Parab & Anr.	.. Defendants

Vishal Kanade i/b Sanjay S. Gawde for plaintiffs.

Ms.Seema Parab-defendant no.1;]
 Ms.Diana Virawani-defendant no.2;]
 Ms.Rebecca G. Dey-defendant no.3] present in-person.

**CORAM : K.R.SHRIRAM, J.
DATE : 10TH FEBRUARY, 2017**

P.C.

1 Shri Vishal Kanade for the plaintiffs states that they wish to lead evidence of the Sub-Registrar of Assurance of Mumbai for production of all documents relating to the Will propounded by the plaintiffs. Shri Kanade states that the application will be lodged today and a copy thereof will be served upon the defendants during the course of today. The three defendants, who are present in Court, state that only defendant no.3 need to be served.

The matter is kept back.

At 1:15 P.M.

2 Shri Kanade tenders an affidavit of the petitioner-Prasad T. Tendolkar, affirmed on 7th February 2017 praying for issuance of witness summons to the Sub-Registrar of Assurance of Mumbai to produce : (a) The register maintained by the Registration Department for 21.11.1996; (b) Index III for the date 2.12.1996; and (c) Day Book for 21.11.1996/** of the Sub-Registrar, Assurance.

3 The witness summons to be issued to the Sub-Registrar of Assurance, Old Customs House, Mumbai, returnable on 2nd March 2017 at 11:00 a.m.

The Petitioner's Advocate is permitted to have this witness summons served upon the Sub-Registrar of Assurance, Old Customs House, Mumbai.

(K.R. SHRIRAM, J.)