

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 165 OF 2014
WITH
TESTAMENTARY SUIT NO. 143 OF 2014
IN
TESTAMENTARY PETITION NO. 762 OF 2014**

Nima Keerthy alias Nima Desai ...Plaintiff
Versus
Snehalata Kaushik Desai & Anr. ...Defendants

Mr. R. S. Raymond, *i/b Raymond & Co., for the Plaintiff.*
Mr. Ameya Tamhane, *for the Defendants.*

CORAM: G.S. PATEL, J
DATED: 9th February 2015

PC:-

1. At the request of the learned Advocate for the Applicants, the Notice of Motion is allowed to be withdrawn.
2. By consent, the Suit is taken up.

3. Heard. Issues are framed and these are appended to this order.

4. The Plaintiff shall, on or before 2nd March 2015, file (i) the evidence affidavit (ii) an affidavit of documents; and (iii) a compilation of documents duly indexed and paginated. Copies of each of these will be served on the advocates for the Defendants on or before that date.

5. Suit to be listed for directions on 11th March 2015. If these directions have not been complied with by then, the suit and the petition will be dismissed on that date. On compliance with these directions as to filing, the matter will be taken up for marking of the Plaintiff's documents and further directions on that day, the fact that it may be listed for directions on that date notwithstanding.

(G. S. PATEL, J.)

ISSUES FRAMED ON 9TH FEBRUARY 2015

TESTAMENTARY SUIT NO. 143 OF 2014

IN

TESTAMENTARY PETITION NO. 762 OF 2014

1. Whether the Plaintiff proves that the Plaintiff is a fit and proper person to whom Letters of Administration should be issued?
2. Whether the Defendant proves that he is a fit and proper person entitled to administer the estate of the deceased?
3. What order and what reliefs?

(G. S. PATEL, J.)