

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 57 OF 2015
IN
TESTAMENTARY SUIT NO. 101 OF 2010
IN
TESTAMENTARY PETITION NO. 998 OF 2009**

Bharat K. Pandya	...Applicant
<i>In the matter between</i>	
Bharat K. Pandya	...Plaintiff
<i>Versus</i>	
Alka Nitin Pandya & Jayshree R. Pandya	...Defendants

None for the Plaintiffs.

Ms. Jaini Shah, *i/b Mr. Akshay Vani*, for Defendant No. 1.

Mr. Abhishek Khare, *i/b M/s. Khare Legal Chambers*, for
Defendants Nos. 2, 3 and 4.

CORAM: G.S. PATEL, J

DATED: 5th May 2016

PC:-

1. The Motion was unnecessary. It seeks that the Suit be expedited and that appropriate pre-trial orders or the direction be passed. This could have been sought on a praecipe. There is no reason to grant any specific order in terms of these prayers. No purpose will be achieved by merely granting to those prayers. It is far

more effective and efficient to actually do what the Motion desires to be done, and that is to move the Suit long.

2. I propose to take up the suit forthwith for framing issues.

3. I notice that despite filing a completely unnecessary Motion for expediting the Suit, when the Motion is taken up, the Plaintiff and his Advocate are absent. Nonetheless, an order has been passed on both Motion and the in the Suit.

4. The Notice of Motion is disposed of with no order as to costs.

(G. S. PATEL, J.)