

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 154 OF 2011
IN
TESTAMENTARY SUIT NO. 15 OF 2004**

Jaykant Mahendra Joshi & Anr.	...Applicants
<i>In the matter between</i>	
Umesh Pravin Joshi & Anr.	...Plaintiffs
<i>Versus</i>	
Ghansyam K. Joshi & Ors.	...Defendants

Mrs. S. I. Shah, i/b S. I. Shah & Co., for the Applicants.
Ms. Neeta Solanki, i/b Kiran Jain & Co., for the Defendant No. 1.

CORAM: G.S. PATEL, J
DATED: 24th June 2016

PC:-

1. The Motion is infructuous. The 1st Plaintiff, Pravin K. Joshi, has passed away. Mrs. Shah agrees that the prayer in Motion is improperly worded. There is no question of 'recalling' any witness since the Plaintiffs are yet to open their evidence and are yet to lead the evidence of their first witness.

2. The Notice of Motion is dismissed. There will be no order as to costs.

3. The Plaintiffs have already filed their Affidavit of Documents. List this Suit for marking the Plaintiff's documents on 5th July 2016 on the supplementary board.

(G. S. PATEL, J.)