

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

**CHAMBER SUMMONS NO.136 OF 2016
IN
CAVEAT (L) NO.169 OF 2015
IN
TESTAMENTARY PETITION NO.1142 OF 2013**

Sarosh Minoo Doctor

....Caveatee
(Org. Petitioner)

V/s.

Mr.Percy Minoo Doctor

....Applicant
(org.Caveator)

Mr.Aditya Thakkar i/by RES Legal for the org.petitioner.

Mr.Tehemton Dalal for Caveator/applicant.

Ms.Kavita Ambekar-2nd Assistant to the Court Receiver present in court.

**CORAM : K.R.SHRIRAM,J
DATE : 11.1.2017**

P.C.:-

1 The delay mentioned in the chamber summons is only 16 days in filing the affidavit in support of the Caveat filed on 21.11.2014. I have considered the affidavit in support and also heard the counsel. Delay condoned. Chamber summons allowed in terms of prayer clauses-(a) and (b) and accordingly disposed.

2 Place the suit for directions on 27.1.2017.

3 The exercise mentioned in the order dated 26.9.2016 read

with order dated 24.10.2016 could not be completed because of certain objections raised by the Caveator in the name in which the new locker has to be opened. It is noted in the site report of the Court Receiver dated 15.12.2016 that the court's order is silent about the name in which new locker has to be open. It is not correct because the order dated 24.10.2016 expressly provides that the locker is to be maintained in the name of the Court Receiver, High Court, Bombay with reference to Testamentary Petition No.1142 of 2013. Therefore, the new locker has to be open in accordance with the paragraph-5 of the order dated 24.10.2016. The exercise of taking inventory etc. to be completed within two weeks.

(K.R.SHRIRAM,J)