

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION NO. 1511 of 2020  
IN  
TESTAMENTARY SUIT NO. 42 OF 2012**

SANTOSH  
SUBHASH  
KULKARNI

Digitally signed by  
SANTOSH SUBHASH  
KULKARNI  
Date: 2023.01.12  
10:16:58 +0530

I. S. Prakash

...Applicant/  
Ori.Deft.1b

**In the matter between**

Dr. Govindaraja Venkatesh Iyengar

...Plaintiff

The Mysore Co.Op. Hsg. Soc. Ltd.

...Defendant no.6

Mr. I. S. Prakash, Applicant-in-person in IA/1511/2020.

Mr. Avinash Joshi, for the Plaintiff in S/603/2013.

Mr. S. K. Dhekale, Court Receiver, present.

**CORAM: N. J. JAMADAR, J.**

**DATED : 9<sup>th</sup> JANUARY, 2023**

**PC:-**

1. Heard the applicant-in-person.

2. The applicant prays for following relief:

“(a) Typed letter dt.17-1-1998 and Nomination dt.17-1-1998 (originals) may be called upon from Def.6 for CID probe including alleged Will dt.22-12-1998. All these documents are forged. Handwriting expert report is the proof.”

3. Perused the order dated 19<sup>th</sup> March, 2018 in Chamber Summons No.161 of 2017 in Testamentary Suit No.42 of 2012 in Testamentary Petition No.64 of 2011 alongwith Suit No.603 of 2013.

4. The Court has recorded that the original Will and the Nomination Form are in the custody of the Prothonotary and Senior Master of this Court and the Metropolitan Magistrate, 52<sup>nd</sup> Court, Kurla, Mumbai, respectively.
5. So far as the prayers in the instant application, the applicant is at liberty to avail appropriate remedies as available in law with regard to initiation of the prosecution.
6. With this clarification, the application stands disposed.
7. The suit and the Testamentary Petition be listed for directions as to final hearing on 6<sup>th</sup> February, 2023.

**[N. J. JAMADAR, J.]**