

Ajay

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

**TESTAMENTARY PETITION NO. 5901 OF 2024
WITH
WILL NO. 2350 OF 2024
IN
TESTAMENTARY PETITION NO. 5901 OF 2024**

Lily Intaru D'Sounza .. Deceased

Gretta Sabby Vaz .. Petitioner

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• Mr. Raviraj S. Gamare, Advocate for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 15, 2025.

P.C.:

- 1.** Not on Board. Mentioned. Taken on Board.
- 2.** Heard Mr. Gamare, learned Advocate for Petitioner.
- 3.** Mr. Gamare, learned Advocate draws my attention to the order dated 10.10.2025. He would inform the Court that there was a miscommunication in conveying to the Court the status of the present matter. He would submit that his junior has appeared on that date and what has found in the order is not the correct position, rather he would submit that Department has been cooperative and in that view of the matter, the directions contained in the order dated 10.10.2025 be revoked. He would submit that the principal reason for this Petition being pending for more than one year is because the attesting

witnesses did not come forward. He therefore persuades the Court to direct the Department to issue subject citation to the attesting witnesses and to be made returnable after a particular date so that the present Petition can be taken forward. Such is the request made in the praecipe which is filed.

4. In that view of the matter, Department is requested by this Court to adhere to the request made in the praecipe.

5. Department shall issue subject citations to the two attesting witnesses namely Udyaraj Achchaiber Singh Thakur and Vijay Tukaram Giri after due compliance by the Advocate for Petitioner, made returnable after a period of five weeks from the date of this order.

6. In view of the above, praecipe is allowed and disposed.

[MILIND N. JADHAV, J.]

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by AJAY
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