

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

**MISCELLANEOUS PETITION NO. 240 OF 2025
IN
TESTAMENTARY PETITION NO. 639 OF 2022**

Shireen Dinshaw Mistry

...Petitioner

Versus

Bilkish Yunus Namakwala

...Respondent

WITH

INTERIM APPLICATION (L) NO. 5597 OF 2025

IN

MISCELLANEOUS PETITION NO. 240 OF 2025

WITH

INTERIM APPLICATION (L) NO. 12552 OF 2025

WITH

INTERIM APPLICATION (L) NO. 11244 OF 2025

IN

MISCELLANEOUS PETITION NO. 240 OF 2025

WITH

INTERIM APPLICATION (L) NO. 2757 OF 2025

IN

TESTAMENTARY PETITION NO. 639 OF 2022

Mr. Aspi Chinoy, Senior Advocate, a/w Shanay Shah, Soniya Putta and
Sovparnika S. i/b M/s. Solomon & Co. for the Petitioner.

Ms. Warunjikar for the Respondent.

Mr. Asif Shaikh for the Applicant in IA(L) Nos. 5597/2025 and 2757/2025.

CORAM : ARIF S. DOCTOR, J.

DATE : 6th MAY, 2025

P.C. :

1. When the matter was called today, a request for time was made on the ground that Dr. Warunjikar was busy in another Court.
2. Mr. Chinoy pointed out that the matter has been fixed for today specifically at the instance of Dr. Warunjikar, who was in some difficulty on the previous occasion .
3. Mr. Chinoy further pointed out that, in this matter, the Respondent had repeatedly sought time on one ground or the other only to scuttle the hearing of the Miscellaneous Petition. Ms. Warunjikar submitted that the matter may be fixed, on any date, either tomorrow or the day after, and that Dr. Warunjikar would remain present. However, given there are already prefixed part heard matters and there are only two working days, it would not be possible to fix this matter either tomorrow or the day after.
4. Hence, list the matter on 20th June, 2025.
5. It is made clear that, on the next date, no further time shall be granted on the ground of non-availability of Counsel or otherwise.

6. Mr. Chinoy also pointed out that the Respondent continues to be in breach of the order of this Court by which the Respondent was directed to deposit the original grant issued to the Respondent in this Court. Hence, on the next occasion, Learned Counsel for the Respondent will also have to address the Court as to why the Respondent, if in breach of the orders of this Court, should be heard.

(ARIF S. DOCTOR, J.)