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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 & Ors ... Petitioners
V/s.
Bilkish Yunus Namakwala ... Petitioner

WITH
INTERIM APPLICATION (L) NO.5597 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
WITH
INTERIM APPLICATION (L) NO.5597 OF 2025
IN
MISCELLANEOUS PETITION NO.240 OF 2025

Mr. Aspi Chinoy, Senior Advocate a/w. Adv. Shanay Shah, Adv.
Soniya Putta, Adv. Karan Mehta, Adv. Souparnika S. i/by
M/s. Solomon & Co. for the Petitioners.

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Ms. Gargi Warunjikar for the Respondent.

Mr. Asif Latif Shaikh, for the Petitioner in IAL/2257/2025 and
IAL/5597/2025.

CORAM : Kamal Khata, J.
DATED : 10th July 2025.

P.C.:-

1. Part heard.
2. Despite the Order dated 20th June 2025, the learned Advocate for the Respondent—being the junior of Mr. Warunjikar—was unable to proceed with the matter as Mr. Warunjikar was engaged in proceedings before another court.
3. Having heard the learned Senior Counsel for the Petitioner for some time, the learned Junior Advocate for the Respondent was asked to set out her case, which she was unable to do. Upon being asked whether she had a list of dates and events, a synopsis, and relevant citations she intended to rely upon, she fairly submitted that she did not. She requested for the matter to be kept back; however, keeping the matter back was not an option.
4. However, in order to afford a fair opportunity to the Respondent, the matter is adjourned to tomorrow and shall

be specifically placed at 12:30 p.m. The Respondent shall, however, pay costs of ₹1,00,000/- to the Petitioner on 11th July 2025 for seeking the adjournment and for the continued non-compliance with the earlier Order dated 28th June 2025.

5. The learned Senior Counsel for the Petitioner also brought to the Court's attention that the Respondent has failed to deposit the Letters of Administration as directed by the Order dated 10th February 2025.

6. The Respondents are hereby put to notice that they shall not be heard in the matter if they fail to comply with (i) the direction regarding payment of costs to the Petitioner and (ii) the direction to deposit the Letters of Administration in Court, both on or before the next date of hearing.

7. List the matter on 11th July, 2025.

(Kamal Khata, J.)