

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO. 2332 OF 2024
IN
TESTAMENTARY PETITION (L) NO. 250 OF 2020

Paul Castelino and Milagrín Castelino

...Deceased

Trinidadé Louis Castelino

...Applicant

Adv. Indu Prashant for the Applicant.

CORAM : ARIF S. DOCTOR, J.

DATE : 13TH MARCH, 2025

P.C.:-

1. Not on board. Mentioned. Taken on board.
2. At the outset, before the board was called, the Associate of this court had informed all the Advocates waiting in the Court seeking circulation that only those matters which were extremely urgent were to be mentioned in terms of the notices published by this Court. The advocates were also informed that in the event any matter was mentioned and it was found that the same was not urgent and contrary to the notices published, then not only would circulation not be granted, but also costs be imposed and the matter would be listed after 6 months.

3. Despite the above Learned Counsel for the Petitioner mentioned the matter and tendered a praecipe, in which the reasons for seeking urgent circulation were set out as follows :

"Be pleased to circulate the papers and proceedings in the abovementioned matter before the Hon'ble Justice Mr. Arif S Doctor on the ____ day of March 2025 at 10:30 a.m.

The urgency in the matter is that the petition is of the year 2020 and the Petitioner is residing abroad and not keeping good health. Annexed herewith is the medical report of the Petitioners doctor.

The matter is getting listed from August onwards but the same is not reaching. The matter was lastly on 21.01.2025 and thereafter it was adjourned to be listed on 11.03.2025. However the matter was again not listed on 11.03.2025

Secondly the securities for which the petition is filed shall be transferred to the Government if the Petition is not granted before August 2025."

4. It is to be noted that the above reasons are firstly what is stated in the praecipe does not set out any grave urgency and secondly the praecipe is not in the format published by this court on 3rd January, 2025.

5. Hence list the matter in regular course subject to payment of costs of Rs.5000/- to The High Court Employees Medical Welfare Fund, account details of which are as follows:

Bank Account Details :

Account name : The High Court Employees Medical
Welfare Fund at Mumbai.

Bank Name

and Branch : Bank of India, Mumbai (Main) Branch.

Account no. : 000120110001337.

IFSC Code : BKID00000001”

(ARIF S. DOCTOR, J.)