

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO.3338 OF 2024
IN
CAVEAT (L) NO.31325 OF 2024
IN
PETITION NO.308 OF 2024

Mr. Jayesh Sanjay Gupta ..Applicant

In the matter of

Mr. Rupesh V. Gupta ...Petitioner

Vs.

Mr. Jayesh Sanjay Gupta ..Caveator

Mr. Kartik S. Garg for Applicant.

CORAM : ARIF S. DOCTOR, J.

DATED : 21st MARCH 2025

P.C. :

1 Not on board. Upon mentioning 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 dated 3rd January 2025 and 17th January 2025. 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 would be imposed and the matter would be listed after 6 months.

3 Despite the above, Mr. Garg Learned Counsel for the applicant mentioned

the matter and tendered a precipe, in which the reasons for seeking urgent circulation were set out as follows :

"Be pleased to circulate the paper and proceedings in the captioned matter before the Bench of Hon'ble Shri. Arif S. Doctor on at 10.30am.

I am concerned for the Applicant in the captioned Interim Application. The present Application has been filed to seek condonation of a 22 day delay in filing Affidavit in Support of the captioned Caveat. In view thereof, it is prayed that the circulation may kindly be granted in the present matter."

4 It is to be noted that the above reasons are firstly do not make out a case of extreme urgency and secondly the precipe is also 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.10,000/- 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 : BKID0000001"

(ARIF S. DOCTOR, J.)