

Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 4 OF 2025
IN
TESTAMENTARY PETITION NO. 3141 OF 2023

Suresh Gajanan Mhatre .. Deceased

Vaishali Suhas Puro & Anr. .. Plaintiffs

Versus

Manish Suresh Mhatre .. Defendant

.....

- Mr. Preet Vora i/by Nitin Parkhe, Advocates for Plaintiffs.
- Mr. Swatesh Tripathi i/by Mr. R.G. Upadhyay, Advocates for Defendant.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 08, 2025.

P.C.:

1. Heard Mr. Vora, learned Advocate for Plaintiffs and Mr. Tripathi, learned Advocate for Defendant.

2. The Stage of Testamentary Suit is for framing of issues. After hearing the learned Advocate at the bar and perusing the draft issues, the following issues are framed in the Suit for adjudication:-

- (i) Whether the Plaintiffs prove that Will dated 21.08.2021 was duly and validly executed and attested in accordance with law as the Last Will and Testament of the deceased?
- (ii) Whether the Plaintiffs prove that the deceased was of sound and disposing mind at the time of execution of

the said Will?

(iii) Whether the Defendant proves that the said Will is forged, fabricated, fraudulent and/or that it was executed by the deceased under any undue influence, coercion or pressure?

(iv) What reliefs / orders?

3. Advocate for Plaintiffs is directed to file Affidavit of Documents alongwith a List of Witnesses. A copy of Affidavit of Documents shall be served on Advocate for Defendant within a period of four (4) weeks from today. Advocate for Defendant shall take inspection of documents in the office of Advocate for Plaintiffs within a period of two (2) weeks thereafter.

4. The Admission and Denial of documents alongwith reasons shall be conveyed by Advocate for Defendant to Advocate for Plaintiffs within a period of one (1) week thereafter.

5. On the next adjourned date, the Affidavit of Documents with originals, list of Witnesses alongwith Admission and Denial of documents by Defendant shall be placed before the Court for the purpose of exhibiting the documents in evidence.

6. Stand over to **26th November, 2025.**

[MILIND N. JADHAV, J.]

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