

FARAD CONTINUATION SHEET NO:
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
T. & I. J.

T.S.NO.39 OF 1989
IN
PETITION NO.279 OF 1989

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Prothonotary's orders.	:	Court's or Judge's orders.
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Mr.Gaurang Joshi i/b Negandhi Shah &
Himaytullah for the plaintiff.
Mr.R.S.Tripathi for defendant no.1(a).
Ms.Usha Rahi i/b Mayur Narendra for defendant
no.2.

CORAM: D.B.BHOSALE, J.
DATED: 23RD JUNE, 2008

P.C.:

. Heard learned counsel for the parties.

2. The following issues are settled and
framed, as arise in the instant proceedings:

"1. Whether the plaintiffs prove that
the Will dated 15th August, 1988 duly
executed by late Mrs.Maria Luisa Almeida
is true, genuine and legal ?

2. Whether the defendants prove that
the deceased Maria Luisa Almeida was not
sound and in disposing state of mind
while executing the Will ?

3. Whether the defendants prove that
the Will was obtained by plaintiff no.1
by exercising undue influence or duress
upon the deceased ?

4. Whether the plaintiffs are entitled
for probate ?

5. What reliefs ?"

3. Learned counsel for the parties state

that they have already filed affidavit of evidence/documents and the documents on record and have also complied with formalities of the admission and denial of the documents and in view thereof they have jointly requested to keep this matter after two weeks for evidence. Stand over for two weeks.

(D.B.BHOSALE, J.)