



IN THE HIGH COURT OF JUDICATURE AT BOMBAY.

ORDINARY ORIGINAL CIVIL JURISDICTION

TESTAMENTARY SUIT NO.17 OF 2012
IN
TESTAMENTARY PETITION NO.782 OF 2007

Leela Dhundiraj Rane ... Deceased.
Prerana Pravin Pulekar ... Plaintiff
Vs.
Abhay Gajanan Talpade & Ors. ... Defendants/Caveators.

Mr D. K. Raje for plaintiff.

Ms Laxmi Mankar for defendants/Cavetors.

No R & Ps.

CORAM : R.D.DHANUKA J.
DATED : SEPTEMBER 16, 2013.

P.C.

By consent of parties following issues are framed.

ISSUES

1. Whether the plaintiff proves that the alleged Will dated 20th March 2000 was duly executed as per the provisions of law ?
2. Whether the defendants prove that the signature on the document dated 20th March 2000 is not of the deceased ?
3. Whether the defendants prove that the deceased could not read



and/or write in English ?

4. Without prejudice to the contention that the signature on the alleged Will is not of the deceased, whether the defendants prove that the alleged Will dated 20th March 2000 was obtained by undue influence, force and fraud ?
5. Whether the defendants prove that there are suspicious circumstances surrounding the execution of the alleged Will dated 20th March 2000 ?
6. What order ?

Plaintiff is directed to file affidavit in lieu of examination in chief of the first witness along with documents and also furnish copy of list of witnesses to the Caveators' advocate within two weeks from today. Caveators are directed to file statement of admission/denial in respect of such documents within two weeks thereafter and to serve copy thereof upon plaintiff's advocate. Place the matter on board for deciding admissibility of documents on **22nd October 2013**.

(R.D.DHANUKA, J.)