

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

**SUIT NO. 13 OF 2006
IN
PETITION NO. 803 OF 2001**

Mrs. Kavita Ramdas Kadam & anr.....Plaintiffs
versus
Pratap Janardhanrao SalunkheDefendant.

Mr. S.S. Joshi for the Plaintiff
None for the Defendant

**CORAM: A. P. DESHPANDE, J.
DATED : 29th APRIL, 2009.**

P.C.:

1. Perused the issues framed. The burden lies on the defendant to prove that the suit property is ancestral property and not self acquired property of the deceased. Hence it is for the defendant to lead the evidence first. The defendant and his counsel is absent. The defendant shall file affidavit in lieu of examination in chief on 17th June 2009 and keep the witnesses present for cross examination by the plaintiff.

(A. P. DESHPANDE, J.)