

HARSHADA H. SAWANT
(P.A.)

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

**INTERIM APPLICATION (L) NO.6918 OF 2026
IN
TESTAMENTARY SUIT NO.317 OF 2025
IN
TESTAMENTARY PETITION NO.3134 OF 2024**

Monica Ashwin Dudani

Applicant/
.. Org.Caveator/Defendant

IN THE MATTER BETWEEN:

Bharti Manohar Badlani

.. Deceased

Prashant Manohar Badlani

Plaintiff
.. /Orig.Petitioner

Versus

Monica Ashwin Dudani

Defendant/
.. Orig.Caveator

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- Ms. Sukeshi Bhandari a/w. Mr. Akshay Chauhan, Advocates for Applicant.
 - Ms. Manali Gori, Advocate i/by Mr. Kaustubh Gupte for Respondents.
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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 10, 2026

P.C.:

- 1.** Not on Board. Mentioned by way of filing praecipe dated 10.03.2026. Perused the praecipe.
- 2.** Heard Ms. Bhandari, learned Advocate for Applicant and Ms. Gori, learned Advocate for Respondents.
- 3.** Interim Application calls for Reply from Plaintiff / Original Petitioner. Interim Application is filed by Caveatrix who is daughter of deceased. Petitioner is the son of deceased and brother of the

Caveatrix who has filed Petition in respect of issuance of Grant on basis of Will dated 24.11.2012 after period of more than 9 years after the date of demise of the mother. Be that as it may, today Caveatrix is seeking the disclosure because Caveatrix has addressed three letters beginning with first letter on 12.01.2026 to the Plaintiff / Original Petitioner.

4. In my opinion, there is no reason as to why this exercise should be undertaken by the Court. The Petition has already been converted into Suit. In that view of the matter, trial is imminent. Therefore parties should be ready to face the inevitable i.e. trial. Once Petition is converted into Suit, discovery and inspection of material referred to and relied upon into the pleadings will have to be disclosed in accordance with law.

5. *Prima facie*, it appears that disclosure is not upto mark which is gathered after reading replies issued by Petitioner / Plaintiff to the Caveatrix.

6. Be that as it may, parties shall take appropriate instructions and accordingly apprise the Court on the next adjourned date. Needless to state that Petitioner / Plaintiff shall forthwith disclose the details as can be seen from unnumbered paragraph No.2 of the letter dated 16.01.2026 which is appended at page No.26 to the Interim Application in accordance with law.

7. Be that as it may, parties should be ready for undertaking the trial also and accordingly shall inform the Court. Accordingly issues shall be framed after hearing Advocate for Plaintiff /Petitioner on the next adjourned date.

8. Stand over to **27th March 2026.**

9. Praecipe is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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