

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

TESTAMENTARY SUIT NO. 70 OF 2025

IN

TESTAMENTARY PETITION NO. 2277 OF 2021

Rajesh Govindkumar Chandan & Ors

...Plaintiffs

Versus

Chandresh Thakkar & Anr.

...Defendants

Adv. Jenifer Mogrelia i/b Vashi and Vashi for the Plaintiffs.

Adv. Shanay Shah a/w Viloma Shah, Sharshad Vyas, Viraj Raiyani i/b M/s. AVP Parnters for the Defendants.

CORAM : ARIF S. DOCTOR, J.

DATE : 17th APRIL, 2025

P.C. :

1. The parties have today tendered draft issues.
2. The Court after considering the same frames the following issues:

ISSUES

- i) Whether the Plaintiffs prove that the Last Will and Testament dated 17th October, 2000 (being Exhibit B to the Suit) has been executed and attested in accordance with law as the Last Will and Testament of the deceased?
- ii) Whether the Plaintiff is entitled to the grant of the Probate in respect of the Last Will and Testament dated 17th

October, 2000?

iii) Whether the Defendants prove that the Last Will and Testament dated 17th October, 2000 is a false, fabricated and brought up document?

iv) Whether the Defendants prove that the present Testamentary Suit is not maintainable in view of the Letters of Administration already granted by this Hon'ble Court in Testamentary Petition No. 490 of 2019 in relation to the estate of the Deceased?

v) What Reliefs?

vi) What Order?

3. Parties are directed to file their respective Affidavits of Documents, to exchange the Statement of Admission and Denial, and to file list of witnesses and Affidavit in lieu of Examination in Chief of the Plaintiff's first witness together with compilation of documents with copy to be served upon the Defendants on or before next date of listing.

4. List the matter on 24th April, 2025 for direction.

(ARIF S. DOCTOR, J.)