

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 50 OF 2024
IN
TESTAMENTARY PETITION NO. 4679 OF 2022**

Maganlal Dharsibhai Sejpal

...Deceased

Sudhir Madhusudan Bhatt

...Plaintiff/Petitioner

Versus

Bharat Maganlal Sejpal

...Defendant

Ms. Dipti Nagda for the Plaintiff/Petitioner.

Ms. Sonal Mishal for the Caveator/Defendant.

CORAM : ARIF S. DOCTOR, J.

Date : 26th FEBRUARY 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 document dated 7th July 2004 (the said Will) is the last Will and Testament of Maganlal Dharshi Sejpal? (the deceased).

II) Whether the said Will has been duly executed in accordance with the provisions of the Indian Succession Act, 1925?

III) Whether the deceased was in a sound and disposing state of mind at the time when the said Will was executed?

IV) Whether the Defendant proves that the said Will is forged and/or fabricated?

V) What Order?

VI) What Reliefs?

3. Parties are directed to file their respective Affidavits of Documents on or before 12th March 2025, to exchange the Statement of Admission and Denial on or before 18th March 2025, 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 27th March 2025.

4. List the matter on 15th April 2025 for direction.

(ARIF S. DOCTOR, J.)