

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

**TESTAMENTARY SUIT NO.75 OF 2024
IN
TESTAMENTARY PETITION NO.2037 OF 2023**

Hemendra Ram Prasad Sharma ... Plaintiff
V/s.
Brahmanand Ramprasad Sharma ... Defendant

Mr. Kunal Chheda for the Plaintiff.

Mr. Jugal Haria a/w Tejashree Parab i/by Rajesh S. Sharma & Associates for the Defendant.

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CORAM : ARIF S. DOCTOR, J.
DATE : 13TH 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 Plaintiff proves that the document dated 17th April 1990 is the Last Will and Testament of one Narayani Ramprasad Sharma alias Narayani R. Sharma alias Narayani Sharma alias Narainidevi Ramprasad Sharma ('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 Plaintiff proves that at the time of execution of the said Will, the deceased was of sound state of mind, memory and understanding?
- iv. whether the Defendant proves that the Will is a false, bogus and fabricated document?
- v. Whether the Defendant proves that the Will was executed under undue influence and coercion?
- vi. What order?

3. Now the issues have been framed. Therefore, the parties are directed to file their respective Affidavits of documents on or before 27th February 2025, to exchange the Statement of Admission and Denial on or before 6th 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 Defendant on or before 13th March 2025.

4. Stand over to 20th March 2025 for marking of documents.

(ARIF S. DOCTOR, J.)