

Ajay

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

**TESTAMENTARY PETITION NO. 2529 OF 2025
WITH
CAVEAT (L) NO. 28454 OF 2025
IN
TESTAMENTARY PETITION NO. 2529 OF 2025**

**WITH
WILL NO. 972 OF 2025
IN
TESTAMENTARY PETITION NO. 2529 OF 2025**

Ignatius Francis Lazrado alias
Lazrado Ignatius

.. Deceased

Jean Patricia Lazrado wife of Ignatius Lazrado .. Petitioner

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- Mr. Malcolm Vaz, Advocate i/by Mr. Anand Shukla for Petitioner.
 - Mr. Anuj Desai a/w. Mr. Devansh Shah, Mr. Kunal Kamath and Mr. Kulanthaivel, Advocates i/by Mr. Kunal Kamath for Caveator.
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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 13, 2025.

P.C.:

1. Heard Mr. Vaz, learned Advocate for Petitioner and Mr. Desai, learned Advocate for Caveator.

2. The order dated 01.10.2025 was passed on the premise that the Executor was refusing to execute the Will as inferred from the communication which was brought to the notice of this Court. After the said order was passed, Executor has moved this Court by the present praecipe dated 10.10.2025 which was listed for hearing today.

After hearing learned Advocate for Executor, it is *prima facie* seen that Executor himself has filed Caveat which was not brought to the notice of this Court earlier and he has taken steps. The apprehension expressed by the Petitioner that liberty be granted to Petitioner to move the Court again if the Executor fails, is noted by the Court. Such leave is granted by the Court. In the event if the Executor fails to come before the Court the order dated 01.10.2025 stands recalled.

3. Department is directed to proceed further with the proceedings which are pending in terms of Caveat or any other Application before the Testamentary strictly in accordance with law.

4. All contentions of the parties are expressly kept open.

[MILIND N. JADHAV, J.]

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