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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 37 OF 2012
IN
TESTAMENTARY PETITION NO. 1050 OF 2011**

Lokmanya H. Menghani ...Plaintiff
Versus
Mehesh D. Menghani ...Defendant

Mr.Madhav J. Jamdar, for the Plaintiff.
Ms.Anita Borkar, for the Defendant.

CORAM: G.S. PATEL, J
DATED: 5th November 2014

PC:-

1. Issues have been framed earlier in this suit. For convenience these are once again reproduced and annexed to this order.
2. The Plaintiff had filed Notice of Motion No. 113 of 2014. It is clarified that this Motion, which was for an order of expedition of the suit, was disposed of by an order of 17th September 2014.
3. Mr. Jamdar, learned advocate for the Plaintiff, states that one of the attesting witnesses to the will is an advocate who has recently

undergone cataract surgery. He requests a short adjournment till next week to file the affidavit of that attesting witness.

4. All affidavits of evidence of the Plaintiff's witnesses, as also the affidavit of documents and the compilation of documents to be filed on or before 17th November 2014.

5. List the suit for marking the Plaintiff's documents on 19th November 2014.

(G. S. PATEL, J.)

ISSUES FRAMED IN
TESTAMENTARY SUIT NO. 37 OF 2012
IN
TESTAMENTARY PETITION NO. 1050 OF 2011

1. Whether the Plaintiff proves that the last Will and Testament dated 30th April 1999 is the last will and testament of the deceased Dayaldas Hasanand Menghani?

2. Whether the Defendant proves that the Will dated 30th April 1999 of the deceased Dayaldas Hasanand Menghani is sham, bogus and fabricated?

(G. S. PATEL, J.)