



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION

TESTAMENTARY SUIT NO. 68 OF 2016
IN
TESTAMENTARY PETITION NO. 1330 OF 2014

Dr. Vijay Gopal Kulkarni
And Ors.

...Plaintiffs

Versus

Manisha Dilip Kulkarni

...Cavetrix/Defendant

Mr. B.G. Saraf, Advocate for the plaintiffs.

CORAM: R. G. KETKAR, J.
DATED: 21st September, 2017

Name : V.R. Joshi
Age : 70 years
Occupation : Retired
Address : A-5, Mayur, College Lane, Dadar,
Mumbai – 400 028.

EXAMINATION-IN-CHIEF OF MR.VR. JOSHI BY MR.B.G.
SARAF, LEARNED COUNSEL FOR THE PLAINTIFFS:-

Witness on S.A. :

(Learned counsel for the plaintiffs shows to the witness his affidavit of evidence and signature of the witness thereon.)

I identify my signature on the affidavit. What is stated in the affidavit is true to my knowledge. The contents of the affidavit are explained to me in Marathi.



FURTER EXAMINATION OF THE WITNESS MR. VR. JOSHI BY MR.B.G. SARAF, LEARNED COUNSEL FOR THE PLAINTIFFS

Q.1 (Witness is shown the Will dated 24.12.2003 of Vastalabai Gopal Kulkarni.) Whether you identify the signature of the testatrix/deceased at the bottom on each page of the Will ?

Ans. Yes.

Q.2 (Attention of the witness was invited to page-5 of the Will). Whether you identify the signature of yourself as also signature of another attesting witness Pramod P. Kulkarni ?

Ans. Yes. I identify my signature and signature of another attesting witness Pramod P. Kulkarni.

Q.3 (Attention of the witness was invited to certificate of Dr. Chetan P. Shah dated 24.12.2003). Whether you confirm that the certificate dated 24.12.2003 issued by Dr. Chetan P. Shah accompanied the Will ?

Ans. Yes. I also identify the signature of Dr. Cetan P. Shah.

No further examination-in-chief.



Name : Promod P. Kulkarni
Age : 56 years
Occupation : Profession
Address : 60, Keluskar Road, Shivaji Park,
Dadar, Mumbai – 400 028

EXAMINATION-IN-CHIEF OF MR.PRAMOD P. KULKARNI BY
MR.B.G. SARAF, LEARNED COUNSEL FOR THE
PLAINTIFFS:-

Witness on S.A. :

(Learned counsel for the plaintiffs shows to the witness his affidavit of evidence and signature of the witness thereon.)

I identify my signature on the affidavit. What is stated in the affidavit is true to my knowledge. The contents of the affidavit are explained to me in Marathi.

FURTHER EXAMINATION OF THE WITNESS MR. PRAMOD P. KULKARNI BY MR.B.G. SARAF, LEARNED COUNSEL FOR THE PLAINTIFFS

Q.1 (Witness is shown the Will dated 24.12.2003 of Vastalabai Gopal Kulkarni.) Whether you identify the signature of the testatrix/deceased at the bottom on each page of the Will ?

Ans. Yes. The bottom of each page of Will bears signature of the testatrix/deceased.

Q.2 (Attention of the witness was invited to page-5 of the Will). Whether you identify the signature of



yourself as also signature of another attesting witness V.R. Joshi ?

Ans. Yes. I identify my signature and signature of another attesting witness V.R. Joshi.

Q.3 (Attention of the witness was invited to certificate of Dr. Chetan P. Shah dated 24.12.2003). Whether you confirm that the certificate dated 24.12.2003 issued by Dr. Chetan P. Shah accompanied the Will ?

Ans. Yes. I also identify the signature of Dr. Cetan P. Shah.

Q.4 At the time of execution of the Will who has interpreted the Will to testrix/deceased in Marathi language ?

Ans. I myself interpreted.

No further examination-in-chief.

1. Heard Mr. B.G. Saraf, learned counsel for the plaintiffs. Mr. Saraf has tendered two affidavits of attesting witnesses i.e. (1) Mr.V.R. Joshi and (2) Pramod P Kulkarni, dated 28.9.2016. Same are taken on record.

2. The last Will and Testament is marked as Exhibit P-1/1 as the original is deposited in the office of Prothonotary and Senior Master.

(R. G. KETKAR, J.)