

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

TESTAMENTARY SUIT NO. 78 OF 2013
IN
TESTAMENTARY PETITION NO. 1737 OF 2012

Prem Lakshmandas Menda ...Plaintiff

Versus

Ashok Jhangiani ...Defendant

Ms. Shraddha Chavan i/b Mr. Rajesh Gehani for Defendant/Caveator.
Mr. S. S. Bhandary i/b M/s. Bhandary and Bhandary for Plaintiff.

Coram : Sharmila U. Deshmukh, J.

Date : 19th December, 2025.

P. C. :

1. The following issues are framed :

(i) Whether the Plaintiff proves that the writing dated 3rd November, 2011 was duly and validly executed and attested in accordance with law as the last Will and testament of deceased Gita T. Lalwani?

(ii) Whether the Plaintiff proves that the deceased was of sound and disposing state of mind, memory and understanding at the time of execution of writing dated 3rd November, 2011?

(iii) Whether the Defendant proves that the writing dated 3rd November, 2011 is a forged and fabricated document?

(iv) Whether the Defendant proves that the writing dated 3rd November, 2011 has been executed through fraud, coercion or undue influence?

(v) What relief and orders?

2. The Plaintiff to file Affidavit of documents, list of witnesses and Affidavit of first attesting witness on or before 12th January, 2026 with an advance copy to the other side.
3. Stand over to **14th January, 2026.**
4. The witness to remain present on the next date.

[Sharmila U. Deshmukh, J.]