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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 28 OF 2014
IN
TESTAMENTARY PETITION NO.480 OF 2014**

Shrikrishnanand A. Velinker ...Plaintiff
Versus
Smt. Kamalini A. Velinker and ors ...Defendants

Mr. Gaurang Mehta , *i/by Dipal S. Mehta, for the Plaintiffs.*
Mrs. Bina Pai, *for the Defendants.*

CORAM: G.S. PATEL, J
DATED: 7th January 2015

PC:-

1. Heard. Issues are framed and these are appended to this order.
2. The Plaintiff shall file his witness's affidavit in lieu of examination in chief, an affidavit of documents, and a compilation of documents duly indexed and paginated on or before 6th February 2015. Copies of each of these will be served on the advocates for the Defendants on or before that date.

3. Suit to be listed for directions on 9th February 2015. If these directions have not been complied with by then, the suit and the petition will be dismissed on that date. On compliance with these directions as to filing, the matter will be taken up for marking of the Plaintiff's documents and further directions on that day, the fact that it may be listed for directions on that date notwithstanding.

(G. S. PATEL, J.)

ISSUES FRAMED ON 7TH JANUARY 2015

TESTAMENTARY SUIT NO. 89 of 2014

IN

TESTAMENTARY PETITION NO. 480 of 2014

1. Whether the Petitioner/Plaintiff proves that the Will dated 11.4.2012 propounded by the Petitioner/Plaintiff is the last Will and Testament of the Deceased, the late Shri Arvind Vasant Velinker?
2. Whether the Caveator/Defendant No.1 proves that the Will dated 11.4.2012 is a false and fabricated document as alleged in paragraph No.2 of Defendant No.1's Affidavit in support of Caveat dated 13.5.2014?
3. Whether the Caveators /Defendants prove that the Deceased was not in sound mind at the time of making the will dated 11.4.2012 as alleged by Caveators/Defendant Nos 2 and 3 in paragraph No.3 of their respective Affidavits dated 9.5.2014 and 15.5.2014 in support of their Caveat and in paragraph No.4(h) of Caveator/Defendant No1's Affidavit in support of Caveat dated 13.5.2014?
4. What reliefs and what orders?

(G. S. PATEL, J.)