

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

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TESTAMENTARY SUIT NO. 167 OF 2013
IN
TESTAMENTARY PETITION NO. 1208 OF 2012

Veena Wellington Nee Shetty

...Plaintiff.

Versus

Kumar S. Shetty & Anr.

...Defendants.

Adv. Alisha Lambay i/b. Lambay & Co. for Plaintiff/ Petitioner.
Adv. Akshay Doctor a/w. Astha Mehta i/b. Desai Diwanji, Adv. for
Defendants.

Coram : Sharmila U. Deshmukh, J.

Date : 12th November, 2025.

P. C. :

1. The draft issues are tendered by the parties and taken on record.
2. Upon hearing the Learned Counsel for the parties and perusal of the record, the following issues are framed :
 - (i) Does the Plaintiff proves that the writing dated 26th August, 2011 was duly and validly executed and attested in accordance with the law as the last Will and Testament of the deceased K. Sundershetty.

- (ii) Whether the Plaintiff proves that at the time of execution of the writing dated 26th August, 2011 the deceased was of sound and disposing state of mind, memory and understanding.
- (iii) Whether the Defendants prove that the Will dated 26th August, 2011 is a forged and fabricated Will.
- (iv) Whether the Defendants prove that the Will dated 26th August, 2011 was procured by undue influence.
- (v) What Order and Decree.

3. The Plaintiff to file the Affidavit of Documents, List of Witnesses and the Affidavit of Evidence of the attesting witnesses on or before 01st December, 2025.

4. Stand over to **02nd December, 2025** under the caption “**for directions**”.

[Sharmila U. Deshmukh, J.]