

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

**TESTAMENTARY SUITS NO. 117 OF 2023
IN
TESTAMENTARY PETITION NO. 985 OF 2023**

Prem Kaur T Amolak Singh Lamba ...Deceased
Bakshi Tinderjit Singh Amolakh Lamba ...Plaintiff
Versus
Bakshi Daljit Singh Lamba and Anr. ...Defendants

Mr. Uttam Rane for Plaintiff.

**CORAM : N. J. JAMADAR, J.
DATE : 4th JULY 2024**

PC.:

1. Heard the learned Counsel for the Plaintiff.
2. None present for the defendant Nos.1 and 2. On 11th June 2024 also none had appeared for defendant Nos.1 and 2.
3. The suit is listed today for settlement of issues.
4. Perused the pleadings and draft issues.
5. The following issues are settled.

:I S S U E S:

- (i) Does the plaintiff prove that the Writing dated 15th March 1993 is validly executed and attested last

Will of testament of the deceased and it is legal and valid ?

(ii) Does the plaintiff prove that the deceased was in a sound and disposing state of mind, memory and understanding at the time of execution of Will?

(iii) Do the defendant Nos. 1 and 2 prove that the said Will is a forged and fabricated document ?

(iii) What order and costs ?

5. The plaintiff shall, on or before 18th July 2024 file (I) the evidence affidavit of the plaintiffs' first witness; (ii) an affidavit of documents; and (iii) a compilation of documents duly indexed and paginated. Copies of each of these will be served on the advocates for the Defendants before that date.

6. The defendants shall, on or before 1st August 2024 file (I) an affidavit of documents; and (ii) a compilation of documents duly indexed and paginated. Copies of each of these will be served on the advocates for the plaintiffs on or before that date.

7. Discovery and inspection is to be completed and statements of admission and denial are to be exchanged on or before 16th August 2024.

8. On the plaintiffs complying with these directions, the matter will be taken up for marking of the plaintiffs' documents and further directions on 22nd August 2024, irrespective of the caption under which the matter appears.

(N. J. JAMADAR, J.)