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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 69 OF 2010
IN
TESTAMENTARY PETITION NO. 815 OF 2006
WITH
CHAMBER SUMMONS NO. 154 OF 2014**

Shamsunder L. Sidhwani

...Plaintiff

Versus

Jagdish G. Tulsiani

...Defendant

**Mr. Bhairavi Thakkar, i/b B.G. Saraf, for the Plaintiff.
Mr. Bhupendra Singh, for the Defendant.**

**CORAM: G.S. PATEL, J
DATED: 20th January 2015**

PC:-

1. The Chamber Summons seeks expedition of the Suit and pre-trial directions.
2. By consent, the Suit is taken on board and called out. Issues are not yet framed. The Caveator has filed an affidavit dated 10th December 2007 and a subsequent affidavit dated 6th July 2010.

Having heard the learned Advocate for both the sides, issues are framed and these are appended to this order.

3. The Plaintiff shall, on or before 9th February 2015, file (i) the evidence affidavit of the attesting witness; (ii) the evidence affidavit of the Plaintiff; (iii) an affidavit of documents; and (iv) a compilation of documents duly indexed and paginated. Copies of each of these will be served on the advocates for the Defendants on or before that date.

4. Suit to be listed for directions on 17th 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.

5. In view of these directions, nothing survives in the Chamber Summons and the same is disposed of as infructuous.

(G. S. PATEL, J.)

ISSUES FRAMED ON 20TH JANUARY 2015
IN
TESTAMENTARY SUIT NO. 69 OF 2010
IN
TESTAMENTARY PETITION NO. 815 OF 2006

1. Whether the Plaintiff proves that the Will dated 15th February 1996 of Pushpa Ghamshamdas Tulsiani was duly and validly executed in accordance with law?
2. Whether the Plaintiff proves that at the time of execution of that Will, the deceased was of sound and disposing state of mind, memory and understanding?
3. Whether the Defendant proves that the Will was procured by the Plaintiff under coercion, fraud, misrepresentation or undue influence?
4. What relief and what order?

(G. S. PATEL, J.)