

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 45 OF 2016
IN
TESTAMENTARY SUIT NO. 42 OF 2002
IN
TESTAMENTARY PETITION NO. 514 OF 1990**

The State of Maharashtra	...Applicant
<i>In the matter between</i>	
Yohannanthomas John	...Plaintiff
<i>Versus</i>	
Shekhar Agarwal	...Defendant

Mr. Uma Palsule-Desai, *AGP, for the Applicant-State.*
Ms. Sarika Mehra, *i/b M/s. LJ Law, for the Plaintiff.*
Mr. Sanjay Udeshi, *i/b M/s. Sanjay Udeshi & Co., for the Defendant.*

CORAM: G.S. PATEL, J
DATED: 6th April 2016

PC:-

1. The application is by the State for leave to inspect or examine the original Will. The prayer is carefully worded. It seeks leave for this purpose, i.e., for inspection and examination within the prescient of the High Court in the Testamentary Department but

also asks that the handwriting expert be allowed to bring the necessary tools and equipment. I see no reason to deny the prayer.

2. The Chamber Summons is made absolute in terms of prayer clause (a).

3. By way of precaution, the learned Advocate for the State will give 48 hours' notice to the Advocates for the Plaintiff and the Defendant of any application being made for inspection or examination of the original Will.

4. This order is passed without any assessment of the correctness of the averments and statements made in the Affidavit in Support. All contentions are kept open.

(G. S. PATEL, J.)