

ATUL

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 70 OF 2015
IN
TESTAMENTARY SUIT NO. 23 OF 2010
IN
TESTAMENTARY PETITION NO. 682 OF 2008**

Bharat Dayalal Khatri	...Plaintiff
<i>Versus</i>	
Girish Dayalal Khatri	...Defendant
<i>And</i>	
Maharashtra State Cooperative Bank & 2 Ors.	...Respondents

**Ms. Snehal Dukhale, i/b Mr. Bharat Joshi for the Defendant/
Applicant.
Mr. Kiran S. Mohite, for the Plaintiff.**

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

PC:-

1. This is the Defendant's application for leave to have the Will in question inspected by handwriting expert. The application so far as it requires a handwriting opinion by the State Examiner of documents is rejected. The Defendant will be at liberty to obtain the opinion of any private professional expert of his choice. For this purpose, the Defendant's Advocate will with notice to the

Advocates for the Plaintiff obtain an appointment from the Registry for inspection of the Will. At the appointed time, the Defendant, his Advocates and his chosen expert may inspect the Will and may photograph it as well. The Plaintiff and their Advocates will be entitled to remain present at that time. It is clarified that under no circumstances is the original Will to be allowed to be taken out of the premises of this High Court and the custody of the Testamentary Department.

2. List the Suit for directions on 24th June 2016.
3. The Notice of Motion is disposed of in these terms with no order as to costs.

(G. S. PATEL, J.)