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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 52 OF 2018
IN
TESTAMENTARY SUIT NO. 44 OF 2006
IN
TESTAMENTARY PETITION NO. 259 OF 2004
WITH
CHAMBER SUMMONS NO. 42 OF 2018**

Virendra Palsingh Basantsingh Kohli & Anr ...Plaintiffs
Versus
Narendra Singh Kohli through his CA Arshad ...Defendant
Merchants

**Mr Dvendra Sharma, for the Plaintiffs/Applicants in CST/42/2018.
Ms Shaista Pathan, i/b Y&A Legal, for the Defendant/Applicant in
NMT/52/2018.**

**CORAM: G.S. PATEL, J
DATED: 5th September 2018**

PC:-

Chamber Summons No. 42 of 2018:

1. The Chamber Summons is by a third party who acquired flat Nos. 2 and 11 in Building No. 692 Casabella Building, 15th Khar Pali

Road, Khar (West), Mumbai 400 052 from both the Plaintiffs and the Defendant, all of whom claim through the Will that is the subject matter of the Testamentary Suit.

2. Being a transferee from heirs, the Applicant undoubtedly has a caveatable interest.

3. The Chamber Summons is made absolute in terms of prayer clause (a). Amendment to be carried out on or before 19th September 2018 without need of reverification. Copies of the amended Petition will be served on all the Defendants within two weeks thereafter.

Notice of Motion No. 52 of 2018:

4. The Notice of Motion seeks to appoint an Investigating Officer or forensic expert to examine the Will dated 16th March 2000 and to verify the signature of the deceased.

5. I must decline this invitation. I have more than enough to do without having to enter into the arena and obtain evidence for one or the other party. It is open to the Plaintiffs to appoint a forensic or handwriting expert and obtain directions to enable that expert to inspect the Will in the department.

6. The Notice of Motion is dismissed with these observations and liberty.

(G. S. PATEL, J)