

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.78 OF 2018
N
TESTAMENTARY PETITION NO.1872 OF 2012

State of Maharashtra through
Azad Maidan Police Station
Mumbai .. Applicant

In the matter between:

Arvinder Pal Singh Ahuja .. Petitioner
Versus
Harbans Kaur Gurubux Singh .. Respondents

Mr. Hemant Haryan (AGP) for State. Applicant
Mr. Piyush Raheja I/b. M/s. Thakore Jariwala & Associates for
respondent No.2.

CORAM : R.D.DHANUKA, J.

DATE : 21st November 2018.

P.C.

By this chamber summons, the applicant seeks permission to take inspection of the original will, which is in custody of Prothonotary & Senior Master of this Court, for the purpose mentioned in the prayer clause (a) of the chamber summons.

2] Learned Counsel for the original petitioner states that the said will is already probated by this Court. He however, has no objection if the inspection is granted to the applicant. However, the same shall be permitted in the presence of petitioner's Advocates. The statement is accepted. Chamber summons is accordingly made absolute in terms of prayer clause (a) on the condition that the Prothonotary & Senior Master will grant inspection of the original will to the applicant in presence of learned Advocate for original petitioner. Learned Advocate for petitioner shall be given 48 hours advance notice before such inspection is offered by Prothonotary & Senior Master.

3] It is made clear that this order is passed without any assessment of the correctness of the averments and submissions made in support of the chamber summons. All contentions of the petitioner are kept in tact. Chamber summons is made absolute. No costs. Prothonotary to act on an authenticated copy of this order.

(R.D.DHANUKA, J.)