

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

TESTAMENTARY PETITION NO.4016 OF 2024
WITH
WILL NO.1585 OF 2024

VISHAL
SUBHASH
PAREKAR

Digitally signed
by VISHAL
SUBHASH
PAREKAR
Date: 2024.09.18
10:21:32 +0530

Gordhan Aildas Jaising

...Petitioner

vs.

Kamla Aildas Jaising

@ Kamla A. Jaising

...Deceased

Mr. Prabhu Velar i/b. Ms. Bina Shivhare, for the Petitioner

CORAM : N. J. JAMADAR, J.

DATE : SEPTEMBER 13, 2024

P.C.:

1. Heard the learned counsel for the petitioner.
2. The petition is moved for seeking permission to file affidavit of the petitioner under Rule 384 of the Bombay High Court (Original Side) Rules as both the attesting witnesses have passed away. Copy of the death certificate of the attesting witnesses are annexed to the affidavit.
3. In the affidavit, the petitioner has affirmed that on 17th April, 1996 in his presence and that of the attesting witnesses Ram Rupchand Advani and Swadesh Bharadwaja, the deceased had set and subscribed her signature at the foot of the Will and thereafter the attesting witnesses at the request of the deceased had put their signatures on the Will.

4. The petitioner is the son of the deceased and beneficiary under the Will.

5. In view of the averments in the affidavit, the petitioner is permitted to file the affidavit.

(N. J. JAMADAR, J.)