

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY PETITION NO.4374 OF 2004
a/w
WILL/1742 OF 2024
IN
TESTAMENTARY PETITION NO.4374 OF 2024**

Manish Kumar Chaturbhuji Sahu		
alias Manish Chaturbhuji Sahu		Petitioner
Chaturbhuji Kanhaiya Sahu		Deceased

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Mr. Mevalal Verma, for Petitioner.

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**CORAM : ARIF S. DOCTOR, J.
DATE : 25th APRIL, 2025.**

P.C.

1. Learned Counsel appearing on behalf of the petitioner submits that captioned Testamentary Petition has been filed for Probate of the last Will and Testament of one Chaturbhuji Kanhaiya Sahu. Today, he prays for issuance of witness summons to the attesting witness No.1 viz. Yesuraj M. Domnik. He places reliance upon a Bailiff's report which shows that the Bailiff is unable to serve the attesting witness No.1. He thus prays for issuance of witness summons against the attesting witness No.1 to enable him to take appropriate steps in the event

attesting witness No.1 does not come forward to file his affidavit. He points out that attesting witness No.2 – Santosh Sahu has been served but has not yet come forward to file his affidavit. Hence, attesting witness No.1 be served by substituted service and issue notice to attesting witness No.2 viz. Santosh Sahu returnable on **24th June, 2025**.

2. Stand over to **24th June, 2025**.

[ARIF S. DOCTOR J.]