

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 03rd April, 2025

FOR HEARING :

93. TP/5298/2024
[Original]
(ECHCBM02223242023)
with
WILL/2126/2024

P. C. : Shri. Mehul Thakker Ld. Advocate for the Petitioner
Shri. Yogesh Dalvi Ld. Advocate for the Rajni Rani

1. Ld. Advocate, appearing for the Rajni Rani, submits that the said Rajni Rani has filed the Civil Suit before the Civil Court, based upon the Will and testamentary document, alleged to have been executed by the present deceased in the year 2023. He further submits that in the said Civil Suit, summons were served upon the petitioner and therefore, the petitioner contested the suit by filing the written statement. According to Ld. advocate for the said Rajni Rani, in the written statement, the present petitioner has relied upon the another Will of the deceased and accordingly, the petitioner has filed the present petition. Ld. Advocate, appearing for the Rajni Rani, requested to give directions to Ld. Advocate for the Petitioner to serve the copy of the petition. However, Ld. Advocate for the Petitioner objected and refused to serve the copy of the petition on the ground that said person is not related to the deceased.

2. Considering this situation, Ld. Advocate, appearing for the Rajni Rani, can adopt proper course as laid down in Bombay High Court (O. S.) Rules, 1980 to get the copies and to take the further steps as per the Chapter XXVI thereof.

3. Ld. Advocate for the Petitioner is not making any statement about the filing of the Written Statement and he submitted that he has no instructions regarding that suit. Hence, adjourned for the order.

4. S. O. to 15.04.2025

03.04.2025

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