

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

MISCELLANEOUS PETITION NO.201 OF 2025
IN
TESTAMENTARY PETITION NO.1963 OF 2016
WITH
INTERIM APPLICATION (L) NO.27310 OF 2025

Samir Nidhir Dutta

...Petitioner

Versus

Subir Nidhir Dutta

...Respondent

Mr. Veer Kankaria, for the Petitioner.

Ms. Priti Shah, for the Respondent.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : DECEMBER 09, 2025

P. C. :

1. Learned counsel for the Petitioner seeks time to address the Court on the issue as to whether during the subsistence of the Probate, subsequent Testamentary Petition can be filed seeking Probate of the subsequent Will of the deceased.
2. Learned counsel for the Petitioner seeks liberty to file additional affidavit.
3. Additional affidavit to be filed on or before 12th December, 2025 and the copy be served in advance to the other side.

4. The response if any to be filed on or before 17th December, 2025.
5. At the request of the learned counsel for the Petitioner stand over to 19th December, 2025 under the caption “part heard”.

[SHARMILA U. DESHMUKH, J.]