

Before: Shri S. S. Agate
Addl. Registrar (O.S.) /
Addl. Prothonotary and Senior Master

CALLED FOR DIRECTION :

1) Mr. Naresh Mithailal Gupta, Applicant/Orig.
2) Petitioner.

2. The applicant has filed Affidavit of service dated 27.01.2025. Inspite of service, today no one is present on behalf of Advocate, Rekha Mehta.

11. In the meantime I state and submit that as Advocate Mrs. Rekha Mehta was being reluctant to handover me the copies of the Petitions filed by her alongwith my brothers, I on 21/11/2024 made an application to this Hon'ble Court to obtain certified copy of Testamentary Petition (L) No.15995 of 2021. Upon receipt of the aforesaid certified copy to my utter shock and surprise it came to my knowledge that the Will annexed to the Petition is a different Will then what was shared by my brother with me on email. In the premises aforesaid it is clear that my brothers in connivance with Advocate Rekha Mehta are trying to usurp the estate of the deceased by filing Petition/s in this Hon'ble Court based on false and forged Will of the deceased.

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12. I state and submit that thereafter in order to ascertain the current status of the aforesaid matter, I visited the official website of this Hon'ble Court and to my utter shock and surprise, I found out that despite Advocate Rekha Mehta had stated in her letter dated 09/10/2024 that she has returned all the papers to my brother, she has on 03/12/2024 filed a praecipe and removed the objection on 23/12/2024. Further on 03/01/2025 she has also filed the alleged will of the said Deceased in the above captioned Petition.

13. In the premises aforesaid, I state and submit that my brother and Advocate Rekha Mehta are playing a fraud on me by filing the above captioned Petition without my consent and on the basis of a false and forged. Further the actions of Advocate Rekha Mehta of continuously appearing in the above captioned matter, despite her returning all the papers is purely misconduct on her part and suggest serious malpractice and breach of her professional duties.

14. In the premises aforesaid, I respectfully say and submit that the Chamber Order may be allowed and Advocate Rekha Mehta be discharged from her role as Advocate on Record in Testamentary Petition No.30 of 2025 and I may be permitted to take steps in the above matter after seeking appropriate legal advise."

4. I am satisfied that the Ld. Advocate has substantially complied with the procedure for obtaining discharge under High Court, Original Side Rules read with the provisions and Rules framed under the Advocates Act.

5. In view of above, Chamber Order is allowed and signed separately. Advocate, Rekha Mehta has been discharged on behalf of Petitioner, Naresh Mithailal Gupta in Testamentary Petition No. 30 of 2025. Office to delete the name of Advocate, Rekha Mehta as Advocate for the Petitioner

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in Testamentary Petition No. 30 of 2025. Petitioner to communicate this Order to the Advocate, Rekha Mehta and thereafter, Petitioner to engage another Advocate, if he so desires.

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Addl. Registrar (O.S.) /
 Addl. Prothonotary and Senior Master