

Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 58 OF 2025
IN
TESTAMENTARY PETITION NO. 36 OF 2023

Wajid Sharafat Khan .. Deceased

Kamalrukh Wajid Khan .. Plaintiff

Versus

Razia Sharafat Ali Khan .. Defendant

-
- Ms. Kaizeen Mistry, Advocate for Plaintiff

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 08, 2025.

P.C.:

- 1.** Heard Ms. Mistry, learned Advocate for Plaintiff.
- 2.** The Stage of Testamentary Suit is for framing of issues. After hearing the learned Advocate at the bar and perusing the draft issues, the following issues are framed in the Suit for adjudication:-

(i) Whether the Plaintiff proves that Will dated 21.08.2012 was duly and validly executed and attested in accordance with law as the Last Will and Testament of the deceased?

(ii) Whether the Plaintiff proves that the deceased was of sound and disposing mind at the time of execution of the said Will?

(iii) Whether the Defendant proves that the said Will is forged, fabricated, fraudulent and/or that it was executed by the deceased under any undue influence, coercion or pressure?

(iv) What reliefs / orders?

3. Advocate for Plaintiff is directed to file Affidavit of Documents alongwith a List of Witnesses. A copy of Affidavit of Documents shall be served on Advocate for Defendant within a period of four (4) weeks from today. Advocate for Defendant shall take inspection of documents in the office of Advocate for Plaintiff within a period of two (2) weeks thereafter.

4. The Admission and Denial of documents alongwith reasons shall be conveyed by Advocate for Defendant to Advocate for Plaintiff within a period of one (1) week thereafter.

5. On the next adjourned date, the Affidavit of Documents with originals, list of Witnesses alongwith Admission and Denial of documents by Defendant shall be placed before the Court for the purpose of exhibiting the documents in evidence.

6. Stand over to **26th November, 2025.**

[MILIND N. JADHAV, J.]

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