

Sharayu

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 41 OF 2015
IN
TESTAMENTARY SUIT NO. 82 OF 2014**

Leslie Robert Lamond	...Applicant
<i>In the matter between</i>	
Osborne Cecil Lamond	...Petitioner
<i>Versus</i>	
Mr. Rusi Burjorji Master & Anr.	...Respondents

Mr. Aditya Thakkar, *i/b Pritesh Rajjhor*, for the Applicant.
Mr. Prashant Tikare, *i/b Zenobia Irani/Nair*, for the Respondents.

CORAM: G.S. PATEL, J
DATED: 10th April 2015

PC:-

1. Heard. The original Probate Petitioner was also the only beneficiary of the deceased Yvette Marie Lamond. The original Probate Petitioner died intestate. The present Petitioner is his brother and only legal heir. The Application today is to set aside the abatement of the Testamentary Suit.

2. For the reasons set out in the Affidavit in Support, the Chamber Summons is made absolute in terms of prayer clauses (a), (b) and (c).

3. In addition to the amendments listed in the schedule to the Chamber Summons, the Registry will also convert the Probate Petition to a petition for Letters of Administration with Will Annexed and the Suit will proceed on that basis.

4. Amendment to be carried out on or before 20th April 2015. Amended Petition to be served on the Defendants on or before 27th April 2015. List the Suit for framing issues on 6th May 2015.

(G. S. PATEL, J.)