

Sharayu.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 43 OF 2015
IN
TESTAMENTARY SUIT NO. 81 OF 2011
IN
TESTAMENTARY PETITION NO. 614 OF 2007

Aparna Prabhat Khot	...Applicant
<i>In the matter between</i>	
Aparna Prabhat Khot	...Plaintiff
<i>Versus</i>	
Mr. Shirish Popatlal Shah & Ors.	...Defendants

Mr. B.G. Saraf, for the Plaintiff.
Ms. Amreen Mansuri, i/b M/s. Ajay Law Asso., for the Defendants.

CORAM: G.S. PATEL, J
DATED: 4th August 2015

PC:-

1. Affidavit in Reply is taken on record.
2. Heard.

3. For the reasons set out in the Affidavit in Support, the Notice of Motion is made absolute in terms of prayer clauses (a) and (b). Testamentary Suit No. 81 of 2011 and Testamentary Petition No. 614 of 2007 are restored to file.

4. There are two compelling reasons to allow the Motion. The first of these is that the order of dismissal is my own. The second is that the order of dismissal is relatively recent, i.e., 16th February 2015. Mr. Saraf has moved as soon as possible thereafter.

5. Ms. Mansuri, learned Advocate for the Defendants, presses for costs. She is certainly entitled to costs. The Plaintiff is directed to pay costs quantified at Re.1/-. Payment to be made by cheque as a condition precedent.

6. List the Suit for framing issues on 14th August 2015.

(G. S. PATEL, J.)