

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 92 OF 2015
IN
TESTAMENTARY PETITION 374 OF 1993**

The Administrator General, Maharashtra State

...Petitioner

Versus

The Trustees of B. D. Petit Parsee General
Hospital

...Respondents

Mr. Neerav Barot, i/b M/s. Maneksha & Sethna, for the Petitioner.
Mr. R. Rodrigues, for the Administrator General.
Respondent No. 2 present in person.

CORAM: G.S. PATEL, J
DATED: 6th August 2015

PC:-

1. By consent, the order dated 24th August 2010 dismissing the Petition for default is recalled and set aside. The Testamentary Petition is restored to file. The Administrator General is directed immediately to take the necessary steps for obtaining the probate and administering the estate in accordance with the Will.

2. There being a caveat and an Affidavit in Support, the Petition is to be renumbered as a suit. List the Testamentary Petition and suit for directions on 1st September 2015. Parties are put to notice that on that day, irrespective of the caption under which the matter is listed, it may be taken up for framing issues.

3. In view thereof, the Miscellaneous Petition is disposed in these terms. There will be no order as to costs.

(G. S. PATEL, J.)