

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 65 OF 2005
IN
TESTAMENTARY PETITION NO. 2 OF 2005**

Aban Homa Petit & Anr.	...Plaintiffs
<i>Versus</i>	
Naryosang D Cassad	...Defendant

Mr. Rajesh Shah, *with Mr. Cyrus Ardeshir, i/b M/s. Kanga & Co., for the Plaintiffs.*
Mr. R.M. Tiwari, *for the Defendant.*

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

PC:-

1. The Defendant is personally present in Court. Mr. Tiwari, learned Advocate for the Defendant, states on instructions that the Defendant wishes to withdraw his caveat. He tenders a statement signed in Court by the Defendant and by Mr. Tiwari withdrawing the caveat. The statement is taken on record and marked "X" for identification. A photocopy of this application will be given to the Advocates for the Plaintiffs to complete their record. This is, of

course, without prejudice to the Defendant's rights and contentions in all other pending matters between the parties.

2. The Caveat is allowed to be withdrawn. In this view of the matter, the Suit stands decreed. The original documents tendered by the Plaintiffs shall be returned to them upon these being substituted by a compilation of photocopies authenticated by the Plaintiffs' Advocates.

3. The Registry is directed to issue probate at the earliest. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)