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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 107 OF 2014
IN
TESTAMENTARY PETITION NO. 215 OF 2011
WITH
CHAMBER SUMMONS NO. 84 OF 2015**

Vimal Madhusudan Bhoosrath	...Petitioner
<i>Versus</i>	
Sangita Madhusudan Bhoosrath	...Respondent
<i>And</i>	
Romell Real Estate Pvt. Ltd.	...Applicant

Mr. G. Godbole, *with Mrs. S. John, i/b M/s. M.P. Savla & Co., for
the Applicant in CHS/84/2015.*

None *for the Petitioner.*

Mr. T. Vora, *i/b Mr. V.B. Dhawan, for the Respondent.*

**CORAM: G.S. PATEL, J
DATED: 26th October 2015**

PC:-

1. The name of the Petitioner's Advocate is correctly shown on board. It is called out as is the name of the Petitioner. None appears for the Petitioner.

2. Mr. Godbole appears for an intervenor in support of Chamber Summons No. 84 of 2015. In this, he points out that there is one threshold reason for dismissal of the present Petition. It appears that the same Petitioner earlier filed Miscellaneous Petition No. 49 of 2013 seeking identical reliefs, i.e., revocation of grant of Letters of Administration dated 2nd August 2011. That Miscellaneous Petition No. 49 of 2013 was unconditionally withdrawn on 13th October 2013. A copy of that order is at page 43 of the Affidavit in Support of Mr. Godbole's Chamber Summons. A copy of Miscellaneous Petition No. 49 of 2013 is at pages 29 to 41 of that Affidavit. A single look at the prayers at pages 39 and 40 makes it clear that the very same reliefs that were earlier sought in the Miscellaneous Petition that was unconditionally withdrawn are now being sought again.

3. There is no question of the present Petition being maintainable. It is dismissed with no order as to costs.

4. In view thereof, the Chamber Summons does not survive and is disposed of infructuous.

(G. S. PATEL, J.)