

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 110 OF 2014
IN
TESTAMENTARY SUIT NO. 92 OF 2008
IN
TESTAMENTARY PETITION NO. 484 OF 2014**

Muradkhan M. Babi	...Plaintiff
<i>Versus</i>	
Sujatkhanji Rustomkhanji & Anr.	...Defendants

Mr. S.C. Naidu, *i/b Mr. M.D. Nagle, for the Applicants.*
Mr. S. Singh, *i/b M/s. B. Amin & Co., for Defendant No. 1.*

CORAM: G.S. PATEL, J
DATED: 5th October 2015

PC:-

1. On instructions, Mr. Naidu seeks leave to withdraw the Chamber Summons while leaving all contentions open. Leave granted with liberty as prayed. Specifically, the question of whether or not the Respondent is, in Sunni Law, a heir of the deceased even on intestacy is left open, as is too the question of whether he has a caveatable interest.

2. List the Suit for marking the Plaintiff's documents on 20th October 2015.

(G. S. PATEL, J.)

CERTIFICATE

"Certified to be a true and correct copy of the original signed Judgment/Order."