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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 87 OF 2015
IN
TESTAMENTARY PETITION NO. 1130 OF 2010**

M/s. Minar Enterprises	...Petitioner
<i>Versus</i>	
Ashokkumar Krishnakumar Shukla	...Respondent

Mr. R.S. Kohli, *for the Petitioner.*
Mr. V. Shukla, *for the Respondent.*

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

PC:-

1. In view of the observations of the Appeal Court in the order dated 1st October 2013 (Dr. D.Y. Chandrachud J., as he then was, and M.S. Sonak J.), Exhibit “B” at pages 53 to 55 of the Petition, this Petition cannot be maintained.

2. Learned Advocate for the Petitioner seeks leave to withdraw the Petition with liberty to institute suitable civil proceedings to establish his title or to defend any proceeding already instituted questioning the Petitioner’s title.

3. Leave granted with liberty as prayed.

(G. S. PATEL, J.)

CERTIFICATE

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