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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL(L) No. 805 OF 2014
IN
MISC. PETITION (L) No. 1447 OF 2014
IN
TESTAMENTARY PETITION No. 1000 OF 2013
WITH
NOTICE OF MOTION (L) No. 2930 OF 2014

Rajubhai Ranchodbhai Baria & Anr. ... Appellants
Applicants in NMA
Vs.
Kiran Anandlal Sheth & Ors. ... Respondents

WITH
APPEAL(L) No. 804 OF 2014
IN
MISC. PETITION (L) No. 1455 OF 2014
IN
TESTAMENTARY PETITION No. 925 OF 2013
WITH
NOTICE OF MOTION (L) No. 2931 OF 2014

Rajubhai Ranchodbhai Baria & Anr. ... Appellants /
Applicants in NMA
Vs.
Hasumati Ashok Sunderlal & Ors. ... Respondents

Mr. Sanjiv Sawant a/w Sachin Kadam, for the Appellants.
Mr. D. D. Madon, Sr. Counsel a/w Karl Tamboly a/w Ravi
Suryawanshi, Akshita Palvia i/b Naik, Naik & Co., for Respondents.

CORAM : V. M. KANADE, &
REVATI MOHITE-DERE, JJ.

DATE : DECEMBER 14, 2015

PC.

1. Heard the learned counsel appearing on behalf of the Appellants and the learned senior counsel appearing on behalf of the Respondents, in both appeals. Appellants are aggrieved by the order passed by the learned Single Judge, dismissing two miscellaneous petitions by a common order dated 10th October, 2014. It is submitted that by passing impugned judgment and order, the learned Single Judge not only dismissed the miscellaneous petitions but also made observations which are likely to affect the probate petitions filed by the Appellants.

2. We have perused the impugned order. In our view, there is no infirmity or illegality in dismissing the miscellaneous petitions. We do not see any reason to interfere with the impugned judgment and order. Both appeals, viz. Appeal Nos. 805 of 2014 and 804 of 2014, are, therefore, dismissed.

3. In view of dismissal of the appeals, the two motions taken out in the respective appeals, viz. Notice of Motion (L) Nos. 2930 of 2014 and 2931 of 2014 do not survive for consideration and are accordingly disposed of.

Sd/-

[REVATI MOHITE-DERE, J.]

Sd/-

[V. M. KANADE, J.]

Vinayak Halemath