

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8661/2015

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Ashish Mehta with Avani Rathod, Amit Ghurye, Shivani Deshmukh i/b. Ahsish Mehta for the petitioner

Mr. Sudhir Prabhu for the respondent Nos.1 to 6.

CORAM : K. K. TATED, J.

DATE : JUNE 13, 2016

P.C.:

1. Heard. By this petition under Article 227 of the Constitution of India the Petitioner challenges the order dated 09.04.2016 passed by the Civil Judge, Senior Division, Sangli below Exhibit- 14, 18, 21 and 30 directing the petitioner to join the respondent as a party in Misc. Civil Application No.98/2013 which was for obtaining probate on the basis of a Will of deceased Suresh Krishna Kumar.

2. The learned counsel for the petitioner submits that respondent – third party also filed a Misc. Civil Application No.113/2013 for obtaining a letter of administration as a brother and sister.

3. The learned counsel for the petitioner submits that the Trial Court may be directed to decide both the applications i.e. for obtaining probate as well as letter of administration as early as possible. He submits that he does not want to press the Writ Petition.

4. Considering the submissions made by the learned counsel for the petitioner and after perusing the order passed by the Trial Court, following order is passed:

- a. Writ Petition stands dismissed as withdrawn.
- b. No order as to costs.
- c. The Trial Court is directed to decide the Misc. Civil Application Nos.98/2013 as well as 113/2013 as early as possible but in any case on or before 31.03.2017.
- d. All contentions of the parties are kept open.

JUDGE