

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****MISC. CIVIL APPLICATION NO. 66 OF 2015****Neeta Lalit Sanghavi & Anr.****..... Applicants****VERSUS****Paresh Dolatrai Sanghavi & Ors.****..... Respondents**

Mr.Rohan Cama, a/w. Ms.Shlerha S. and Mr.Saahil Bijliwala, i/b. FZB & Associates for the Applicants.

Ms.Nupur Mukharjee, i/b. N.N.Vaishnava & Co. for the Respondent no.1.

CORAM : R.D. DHANUKA, J.**DATE : 16th NOVEMBER, 2016****P.C.**

There is no dispute that the Testamentary Suit No.70 of 2003 in Testamentary Petition No.603 of 2003 between the same parties is pending in this court.

2. Learned counsel appearing for the respondent no.1 (plaintiff in Suit No.605 of 2014) filed by the respondent no.1 before the Bombay City Civil Court, Borivali Division, Dindoshi has no objection if prayer clause (a) of the miscellaneous civil application is allowed. Statement is accepted.

3. By consent of the applicants and the respondent no.1, Miscellaneous Civil Application No.66 of 2015 is allowed in terms of prayer clause (a).

4. Bombay City Civil Court, Borivali Division, Dindoshi is directed to transmit the papers and proceedings of Suit No.605 of 2014 filed by the respondent no.1 including the notice of motion described in prayer clause (a) of the miscellaneous

civil application to this court expeditiously.

5. Insofar as prayer (b) of the miscellaneous civil application is concerned, the applicants can apply for clubbing of the matters by obtaining administrative order from the Hon'ble the Chief Justice.

6. Learned counsel for the respondent no.1 states that Suit No.605 of 2014 filed by the respondent no.1 which is being transferred to this court will be heard after disposal of the Testamentary Suit No. 70 of 2003 in Testamentary Petition No.603 of 2003. Statement is accepted.

7. Miscellaneous civil application is disposed of in the aforesaid terms. No order as to costs.

(R.D.DHANUKA, J.)