

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY & INTESTATE JURISDICTION

**TESTAMENTARY SUIT NO.11 OF 2013
IN
TESTAMENTARY PETITION NO.1292 OF 2012**

Shaukat H. Merchant ...Plaintiff
V/s.
Mahendra Tribhuvandas Shah & Anr. ...Defendants

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Mr. Darshan Mehta i/by M/s. Dhruve Liladhar & Co. Advocate for the Plaintiff.

Ms. Ashvini Takalkar, Advocate for the Defendants.

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CORAM : A. K. MENON, J.

DATE : 3RD FEBRUARY, 2016.

PC.:

On 1.2.2016, the learned Advocate for the Defendants was granted time to ensure that the Affidavit filed on behalf of the Rajani Mahendra Shah was put in proper form and properly interpreted and explained to the Deponent. Accordingly, now this has been done. She has tendered an Affidavit dated 1.2.2016 of the four caveators including the said Rajani Mahendra Shah as directed.

2 In view of the request made on behalf of the
Defendants/Caveators that they do not wish to proceed with the Suit and

have no objection if the Petition proceeds to grant, Caveats are dismissed for want of prosecution. Accordingly, the Testamentary Suit No. 11 of 2013 is disposed of and the Testamentary Petition No.1292 of 2012 will now proceed to grant subject to removal of all the office objections but without insisting upon the drawn up order.

(A. K. MENON, J.)