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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 27 OF 2014
IN
TESTAMENTARY SUIT NO. 122 OF 2013**

Shaheen Nasser Khan	...Petitioner
<i>Versus</i>	
Roshan Yusuf Khan	...Respondent

Mr. Rafique A. Shaikh, for the Petitioner.
Mr. Chetan Akerkar, for the Respondent.

CORAM: G.S. PATEL, J
DATED: 21st June 2016

PC:-

1. This is a Chamber Summons is in compliance with Rule 404 of the Bombay High Court Original Side Rules.

2. The Petitioner is for Letters of Administration. The Petitioner, Shaheen, is the deceased's widow of the deceased. The Caveatrix, Roshan, is the Petitioner's mother-in-law, the deceased's mother. Shaheen and the deceased have only one son. He has now attained majority. He stays with Shaheen in a flat at Mira Road.

3. There are two, perhaps three, assets in the estate. The two that are admittedly part of the estate are an unoccupied flat at Kandivali and a bank account. In addition, Roshan says that there is a flat at Mira Road, District Thane which is also part of the deceased's estate.

4. It is not in dispute that Shaheen and her son live in the Mira Road flat. The only question is whether this flat forms part of the deceased's estate.

5. Mr. Shaikh for the Petitioner says that the particulars in regard to the Mira Road flat will be placed before this Court on Affidavit by the next date. That Affidavit is to be filed and served on or before 15th July 2016.

6. List the Petition for directions on 20th July 2016.

7. Consequently, the present Chamber Summons, one that only seeks directions, will not survive. It is disposed of in these terms with no order as to costs.

(G. S. PATEL, J.)