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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 60 OF 2014
IN
TESTAMENTARY PETITION NO. 774 OF 2014**

Veena Lokendra Jain ...Petitioner
Versus
Lokendra Jai Bhagwan & Amit Lokendra jain & ...Respondents
Others

Mr. S. Y. Katkade, *i/b Nirmalal V. Gopal, for the Petitioner/Applicant*
Mr. Rakesh Singh, *a/w Mr. Pashkal Mishra, for National Highway*
Authority.
Mr. Y. R. Mishra, *for the Respondent No. 1.*
Mr. Prashant Chawan, *with Mr. Navdeep Vora, i/b Navdeep Vora &*
Associates, for the Respondent No. 3.
Mrs. Maneesha Patel, *for the Respondent No. 4.*
Mr. Pankaj Uttaradhi, *i/b Sabeena Mahadik, for Respondent No. 8.*

CORAM: G.S. PATEL, J
DATED: 4th July 2016

PC:-

1. Heard. Learned Advocate for the Applicant/Revocation Petitioner in this Petition for Letters of Administration accepts that the Notice of Motion is not maintainable in view of the binding decisions of this Court in *Rupali Mehta v Smt. Tina Narinder Sain*

*Mehta,*¹ *Ramchandra Ganpatrao Hande alias Handege v Vithalrao Hande and Ors.,*² and *Manek Dara Sukhadwalla v Shernaz Faroukh Lawyer.*³

2. He seeks leave to withdraw the Notice of Motion with liberty to file an appropriate application for suitable reliefs. He points out that there is an ad-interim order of 21st February 2014 that has continued till today. He submits that this order may be continued for a short period of time within which the Petitioner will make the necessary application. The request is not unreasonable.

3. The Notice of Motion is allowed to be withdrawn with liberty to file a fresh Notice of Motion on the same cause of action for appropriate reliefs. All rights and contentions are expressly kept open.

4. The ad-interim order granted on 21st February 2014 shall continue till 1st August 2016.

(G. S. PATEL, J.)

1 2006 (6) Bom.C.R. 778

2 2011 (4) Bom.C.R 326

3 Appeal (L) No. 7 of 2014 in Notice of Motion No. 138 of 2012 in Testamentary Suit No. 29 of 2012 in Probate Petition No. 341 of 2012, decided on 8th August 2014.