

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 19 OF 1999
IN
TESTAMENTARY PETITION NO. 864 OF 1996**

Ronald J. Fernandes	...Plaintiff
<i>Versus</i>	
Rita Pinto	...Defendant

Ms. Nikita Mishra, i/b M/s. Federal & Rashmikan, for the Plaintiff.
Ms. Vidya Chaudhari, i/b Chambers of Javed Gaya, for the
Defendant.

CORAM: G.S. PATEL, J
DATED: 27th September 2016

PC:-

1. The parties report that the transaction in respect of the sale of 7, Southlands, 177 Upper Colaba, Mumbai 400 005 flat is complete. The purchase price has been received. The necessary permission from the Collector has also been received and possession also been delivered to the purchaser. The sale proceeds have been divided between the parties in the manner set out in the first Consent Terms dated 3rd February 2015 read with the further Consent Terms dated 12th August 2015.

2. The Suit has, therefore, come to an end.

3. Today the parties seek the order of return of the original documents. The original documents are to be returned to the respective parties, upon these being substituted with photocopies duly authenticated by their respective Advocates.

4. The Registry is directed to issue a drawn up order/decreed in terms of the Consent Terms dated 3rd February 2015 and the Consent Terms dated 12th August 2015. This will be issued on an expedited basis since there are some shares of companies that are to be transferred. Along with this, the Registry will also issue a certified copy of the probate Petition to the Advocates for the Plaintiffs, and on request, to the Advocates for the Defendants. The registry will not insist on a certified copy of this order, but will act on production of an authenticated copy.

5. The Testamentary Department is directed to issue a certified copy of Will No. 296 of 1996 to the Advocates for the Parties on their application and on production of an authenticated copy of this order.

(G. S. PATEL, J.)