

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.187 OF 1993
IN
TESTAMENTARY SUIT NO.11 OF 1996

Shahpour K. Yazdagardi Decess	...Plaintiff
V/s.	
Uma R. Khanna & Anr.	...Defendants

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Parties and Advocates absent.

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CORAM : A. K. MENON, J.

DATE : 23RD FEBRUARY, 2016.

PC.:

This Miscellaneous Petition has been pending since long. On 8.6.2015, notice was directed to be issued to all parties and the matter came to be adjourned to 29.6.2015. Thereafter, the matter appeared on 3.7.2015, 28.7.2015, 21.11.2015, 2.12.2015 and 16.2.2016. None of the parties were present on any of these dates. Pursuant to the office notice, the Respondent Nos.2 to 4 sent letter dated 27.6.2015 wherein it is contended that dispute and differences that have arisen in family were mutually and amicably settled and none of the Respondent Nos.2 to 4 have any grievances against each other. There is no response from the

Petitioner or the Respondent No.5. The Respondent No.1 is stated to have died on 13.8.2008. Copy of the medical certification of the cause of death issued by the Nashik Municipal Corporation has been annexed as enclosure to the letter dated 27.6.2015. It appears that in view of the aforesaid statement, the Petitioner is no longer interested in pursuing the case.

2 In the circumstances, the Miscellaneous Petition No.187 of 1993 and the Suit No.11 of 1996 are dismissed .

(A. K. MENON, J.)