

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 28 OF 2009
IN
TESTAMENTARY PETITION NO. 1112 OF 2008
WITH
MISCELLANEOUS PETITION (L) NO. 1824 OF 2016**

Manoj S. Kapur	...Plaintiff
<i>Versus</i>	
Sunil Chopra	Defendant

Ms. Gulnar Mistry, i/b Pimenta Kapasi and Company for the Plaintiff.

Ms. Priyanka Kothari, with Ms. Geetika Jain, i/b Bilawala and Company for the Defendant.

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

PC:-

1. Ms. Kothari on behalf of the Caveator in Testamentary Suit No. 28 of 2009 states that her attorneys have written instructions to withdraw the Caveat. The Caveat is dismissed as withdrawn. This being the only Caveat, the Testamentary Suit is decreed. Probate is to be issued on priority and expedited basis.

2. The Caveator previously filed Notice of Motion No. 145 of 2014 seeking removal of the executors. That was converted into Miscellaneous Petition (L) No. 1824 of 2016.
3. The Miscellaneous Petition is, by consent, called out and taken on board. Ms. Kothari seeks leave to withdraw the Miscellaneous Petition.
4. The Miscellaneous Petition is dismissed as withdrawn.
5. Drawn up order is dispensed with.
6. All concerned to act on an authenticated copy of this Order.

(G. S. PATEL, J.)