

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 182 OF 2016
WITH
CAVEAT NO. 144 OF 2016
IN
TESTAMENTARY SUIT NO. 121 OF 2016
IN
TESTAMENTARY PETITION NO. 2146 OF 2015**

Pramila Bhalchandra Tamber	... Plaintiff
<i>Versus</i>	
Manasee Shrikant Chandwadkar	... Defendant

Mr. N.G. Karekar, *for the Plaintiff.*
Mr. Kirti K. Nagda, *for the Defendant.*

CORAM: G.S. PATEL, J
DATED: 22nd November 2016

PC:-

1. The Testamentary Suit, which is for probate, is settled between the parties. Consent Terms are tendered. These are signed by the Plaintiff and the Defendant as also by their Advocates. I have seen the Consent Terms. They are in order. They are not contrary to law and I am satisfied that they have been drawn by the parties of

their own volition in reflection of their true intentions. The Consent Terms are taken on record and marked “X” for identification. The undertakings in Consent Terms are accepted as undertakings to the Court.

2. In view of the Consent Terms, Caveat No.144 of 2016 is dismissed as withdrawn.
3. The Suit is decreed. The Petition to proceed as an undefended Petition for the grant of probate. Drawn up decree and order is dispensed with. Subject only to all just exceptions, Registry will issue probate on a priority basis before 22nd December 2016.
4. Refund of Court Fees, if any, in accordance with the Rules.
5. The Registry is not to insist upon an Affidavit proving service of citations.
6. The Notice of Motion No. 182 of 2016 by the Plaintiff for dismissal of the Caveat is infructuous and is disposed of as such.
7. All concerned to act on an authenticated copy of this Order.

(G. S. PATEL, J.)