

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

**NOTICE OF MOTION NO. 131 OF 2016
IN
MISCELLANEOUS PETITION NO. 70 OF 2015
IN
TESTAMENTARY PETITION NO. 815 OF 2009**

**WITH
MISCELLANEOUS PETITION NO. 70 OF 2015
IN
TESTAMENTARY PETITION NO. 815 OF 2009**

**WITH
TESTAMENTARY PETITION NO. 815 OF 2009**

**WITH
CHAMBER SUMMONS NO. 72 OF 2014
WITH
MISCELLANEOUS PETITION NO. 119 OF 2015**

**WITH
NOTICE OF MOTION NO. 132 OF 2016
WITH
CHAMBER SUMMONS (L) NO. 78 OF 2016**

Nanak S. Ghatalia

...Petitioner

Versus

Harshad F. Sheth & 2 Ors.

...Respondents

Mr. Nanak S. Ghatalia, Petitioner in person, present.

Mr. A. Davar, i/b Mr. Ravindra R. Chile, for the Applicant in

NMS/131/16 and for the Respondent Nos.1 & 2.
Mr. Rohaan Cama, i/b Sapna Rachure, for the Respondent No. 3.

CORAM: G.S. PATEL, J
DATED: 10th October 2016

PC:-

A. NOTICE OF MOTION NO. 131 OF 2016

1. After some arguments, Mr. Davar on behalf of the Applicants/Respondents Nos. 1 and 2 seeks to withdraw Notice of Motion No. 131 of 2016. The Notice of Motion is dismissed as withdrawn with liberty to the Applicant to adopt such proceedings as are available to him in law.

2. Mr. Ghatalia, appearing *pro se*, presses for costs of this Notice of Motion. The question of costs payable is left open and will be taken up along with the final order on Miscellaneous Petition No. 70 of 2015.

3. I will now proceed with the hearing of that Miscellaneous Petition.

B. MISCELLANEOUS PETITION NO. 70 OF 2015

4. The matter is part heard along with Chamber Summons No. 72 of 2014, Miscellaneous Petition No. 119 of 2015, Notice of Motion No. 132 of 2016 and Chamber Summons (L) No. 78 of 2016.
5. List these matters for directions on 27th October 2016 for fixing the next date of hearing.

(G. S. PATEL, J.)