

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

TESTAMENTARY PETITION NO.1012 OF 2011

Smt. Shashi Ramappa Salian

...Petitioner

V/s.

Smt. Heera R. Kunder & Ors.

...Respondents

.....
Mr.C. S. Karkera for the Petitioner.

Mr. Vijay Sutrale for the Respondents.
.....

CORAM : A. K. MENON, J.

DATE : 4TH FEBRUARY, 2016.

PC.:

Parties have tendered Consent Terms arrived at between the Petitioner and Respondent nos.1 and 3. The Consent Terms are signed by the Petitioner and Respondent nos.1 and 3. The Petitioner and Respondent No.3 are present. Respondent no.1 is stated to be unwell and cannot travel to Court. She has empowered her son to present the consent terms. The petitioner seeks to withdraw the Petition against respondent nos.2 and 4 as set out in clause (5). Accordingly on request of the learned counsel for the Petitioner the Petition is allowed to be withdrawn against respondent nos.2 and 4.

2] In view of the fact that clause (2) of the consent terms is conditional and the fact that Respondent No.2 has not signed these

consent terms and in view of the statements in clause (4) of the consent terms, upon compliance with the terms of clause 1, it is made clear that the Consent Terms are merely taken on file and this Court has not passed any order in terms thereof.

3] By consent, ad-interim order dated 14th October, 2013 will now stand vacated in view of provisions of clause (6) of the consent terms and the Petition stands disposed of.

(A. K. MENON, J.)