

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 12 OF 2014
IN
TESTAMENTARY SUIT NO. 116 OF 2014
IN
TESTAMENTARY PETITION NO. 1443 OF 2011**

Shivkumar Indersen Mirchandani	...Plaintiff
<i>Versus</i>	
Malani Kotechha & Anr.	...Defendants

**Mr. J.P. Sen, Senior Advocate, with Mr. Uday Bhanu Singh, i/b
Mr. Ivor Peter D'Cruz, for the Plaintiff.**
**Mr. Nikhil Sakhardande, with Mr. Kaustav Talukdar & Ms.
Shubhra Swami, i/b Mr. Waquar Ahmad, for the Defendants.**

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

PC:-

1. Mr. Sakhardande for the Defendants state that he has instructions to withdraw their caveat. There is a single common caveat. The Caveators are (i) Malini Kotechha; (ii) Priya Tejwani; and (iii) Mohan Waswani.

2. The Caveat is dismissed as withdrawn. Notice of Motion No. 12 of 2014 for discharge of the Caveat is infructuous and does not survive.

3. This being the only Caveat, there is no surviving contest to the Suit. The Petition will, therefore, proceed as an uncontested Petition for the grant of Letters of Administration. Registry to proceed with the grant as expeditiously as possible acting on an authenticated copy of this order.

4. All the Caveators' rights and contentions in respect of any property said to have been included in the estate of the deceased are expressly kept open and they will be at liberty to pursue such civil remedies as are available to them in law.

(G. S. PATEL, J.)