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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 105 OF 2015
IN
CAVEAT (L) NO. 89 OF 2015
IN
TESTAMENTARY PETITION NO. 714 OF 2014**

Faizal Issar Bagdadi	...Petitioner
<i>Versus</i>	
Ismail Nazir Shakoor	...Caveator

Mr. Ashok Kumar Mishra, *for the Petitioner/Applicant.*

**CORAM: G.S. PATEL, J
DATED: 7th June 2016**

PC:-

1. Heard. The Notice of Motion is served.

2. This is the Petitioner's Notice of Motion for rejection or discharge of the Caveat. It is pointed out by Mr. Mishra that the only ground taken in the Caveat is that the Caveator seems to lay claim to a certain immovable property included in the Schedule of Assets of the deceased. The Caveator is not an heir of the deceased. He is at best a relative of the landlord of certain premises. Mr. Mishra is correct in saying that Petitions for Letters of

Administration, like Petitions for probate, do not decide the question of title. If the Caveator has any legitimate claim to any property, he is at liberty to adopt suitable civil proceedings in that behalf. His contentions in that regard are kept open.

3. The Notice of Motion is made absolute in terms of prayer clause (a). The Caveat (L) No. 89 of 2015 stands discharged. Department to proceed accordingly.

(G. S. PATEL, J.)