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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 185 OF 2013
IN
TESTAMENTARY PETITION NO. 1463 OF 2012**

Shubha Satish Mhapsekar ...Plaintiff
Versus
Mrs. Madhavi Sridhan & Others ...Defendants

**WITH
MISCELLANEOUS PETITION NO. 31 OF 2014
IN
TESTAMENTARY PETITION NO. 1454 OF 2012
AND
MISCELLANEOUS PETITION NO. 104 OF 2014
IN
TESTAMENTARY PETITION NO. 42 OF 2012
AND
MISCELLANEOUS PETITION NO. 32 OF 2014
IN
TESTAMENTARY PETITION NO. 1461 OF 2012**

Mr. Prathamesh Kamat, *with Sapana Rachure, i/b T.N. Tripathi & Co., for the Plaintiff/Applicant in TS/185/2013, for the Respondent in MPT/31/2014 & for the Respondent in MPT/32/2014 & for the Petitioner in MPT/104/2014.*

Mr. Vatsal Shah, *with Ms. L. Munim & Ms. Arti Joglekar, i/b Rajesh Kothari & Co., for Defendant No. 1 in TS/185/2013, for the Petitioner in MPT/31/2014 & MPT/32/2014 & for the Respondent in MPT/104/2014.*

Mr. Varun Shah, for Defendants Nos. 2 to 4 in TS/183/2013.

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

PC:-

1. Testamentary Suit No. 185 of 2013 is not on board. Mentioned. By consent, taken on board.

2. Testamentary Suit No. 185 of 2013 as amended (in terms of the amendment separately allowed today in Chamber Summons (L) No. 151 of 2016) is disposed of in terms of the Consent Terms and Minutes of Order, both dated 7th October 2016. The Consent Terms are signed by the Defendants, their Advocates and by the Plaintiff and her Advocate. So are the Minutes of Order. These are confirmed by the parties present in Court. All parties/their representatives are present in Court.

3. I have seen the Consent Terms. They appear to be in order. They are not contrary to law and drawn by the parties of their own volition in reflection of their true intention. The Consent Terms are taken on record and marked "X" for identification. The undertakings in the Consent Terms are accepted as undertakings to the Court.

4. The Suit is decreed in accordance with the Consent Terms. Drawn up decree dispensed with. However, if for the purpose of implementation of these Consent Terms, and in particular in regard to any immovable property transactions contemplated in the

Consent Terms, should the parties require a drawn up order or decree, they will be entitled to apply to the Department for one without having to make a separate application in that behalf and on production of an authenticated copy of this order. Drawn up order/decreed is to be strictly in accordance with these Consent Terms only.

5. In view of the Consent Terms, Miscellaneous Petition No. 31 of 2014 in Testamentary Petition No. 1454 of 2012, Miscellaneous Petition No. 32 of 2014 in Testamentary Petition No. 1461 of 2012 also stand disposed of accordingly.

6. Mr. Kamat, on instructions, seeks leave to withdraw Miscellaneous Petition No. 104 of 2014 in Testamentary Petition No. 42 of 2012. Leave granted. Miscellaneous Petition No. 104 of 2014 is dismissed as withdrawn.

7. All concerned to act on authenticated copy of this order.

(G. S. PATEL, J.)