

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**TESTAMENTARY & INTESTATE JURISDICTION****TESTAMENTARY SUIT NO. 83 OF 2012
IN
TESTAMENTARY PETITION NO.465 OF 2009**

Madhu Nirankar Srivastava ...Plaintiff
V/s.
Malini Sanjay Thakur ...Defendant

.....

**AND
TESTAMENTARY PETITION NO.312 OF 1999
AND
TESTAMENTARY PETITION NO.1000 OF 1997**

Nirankar A. Srivastav ...Plaintiff
V/s.
Madhu N. Srivastav ...Defendant

Mr. D.R.Mishra, Advocate for the Plaintiffs.
Mr. S.A.P.Thomas, Advocate for the Defendants.

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CORAM : A. K. MENON, J.**DATE : 11TH JANUARY, 2016.****PC.:**

In Testamentary Suit No.83 of 2012, the parties have arrived at a settlement. Consent Terms dated 7.1.2016 have signed by the Plaintiffs and Defendants and which have also been interpreted to them by the Assistant Chief Translator and Interpreter. The Plaintiff

unconditionally withdraws the Testamentary Petition No.465 of 2009 and has confirmed that by virtue of the said withdrawal, the Plaintiff has no objection to the grant of succession certificate to the Defendant Caveatrix in Testamentary Petition No.312 of 1999.

In the circumstances, I pass the following Order;

- (i) the Testamentary Suit No.83 of 2012 is allowed to be withdrawn.
- (ii) Refund if any, as per the Rules.
- (iii) In view of the withdrawal of the Testamentary Suit no. 83 of 2012, Testamentary Petition No.312 of 1999 may be proceeded with subject to other requisitions.

(A. K. MENON, J.)