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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 161 OF 2015
IN
TESTAMENTARY PETITION NO. 410 OF 2015
WITH
CAVEAT NO. 228 OF 2015**

Jignesh Manharilal Desai	...Plaintiff
<i>Versus</i>	
Manharlal Dayaji Desai	...Defendant

Mr. B.G. Saraf, for the Plaintiff.
Mr. Piyush M. Shah, for the Defendant.

CORAM: G.S. PATEL, J
DATED: 5th December 2016

PC:-

1. The Suit is settled. Consent Terms are tendered. The Plaintiff and the Defendant are both personally present in Court. They have signed the Consent Terms and so have their Advocates.

2. I have seen the Terms. They are in order. I am satisfied that the Consent Terms have been drawn by the parties of their own volition in reflection of their true intentions. 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.

3. In view of these Consent Terms, a Caveat filed by the Defendant is dismissed as withdrawn.

4. The Suit is accordingly decreed. The Testamentary Petition will now proceed as uncontested Petition for probate.

5. Drawn up decree for issuance of probate and for discharge of the Caveat is dispensed with. Registry is not to raise any requisition regarding service of citation. It will proceed to issue probate as expeditiously as possible, and in any event on or before 20th January 2017.

6. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)