

ATUL

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 122 OF 2010**

IN

TESTAMENTARY PETITION NO. 1091 OF 2010

Alwyn Thomas Barboza	...Plaintiff
<i>Versus</i>	
Sarita Franklin Barboza	...Defendant

WITH

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 171 OF 2012

Sarita F. Barboza	...Plaintiff
<i>Versus</i>	
Alwyn Thomas Barboza & 6 Others	...Defendants

Mr. Ramesh Ramamurthy, with Mr. Sai Ramamurthy, i/b Mr. B.G. Saraf, for the Plaintiff in TS/122/2010 & Defendants Nos. 1 to 6 in S/171 of 2012.

Mrs. Ratna Bhargavan, i/b R. Bhargavan & Associates, for the Defendant in TS/122/2010 & Plaintiff in S/171/2012.

CORAM: G.S. PATEL, J
DATED: 18th November 2016

PC:-

1. On instructions, and having considered the legal position under amended Section 213 of the Indian Succession Act, Mr. Ramamurthy seeks leave to withdraw Testamentary Suit No. 122 of 2010.
2. Testamentary Suit No. 122 of 2010 and Testamentary Petition No. 1091 of 2010 are dismissed as withdrawn. No order as to costs. Refund of court fee in accordance with the Rules.
3. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)