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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 137 OF 2015
IN
TESTAMENTARY PETITION NO. 684 OF 2015**

Anil Tejsingh Rathod	...Petitioner
<i>Versus</i>	
Smt. Archana Avinash Rathod	...Caveator

Mrs. Madhuri Gaikwad, i/b M.G. Legal, for the Petitioner.
Mr. Prashant D. Patil, for the Caveator/Applicant.

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

PC:-

1. The Notice of Motion is unsustainable. It seeks to raise a jurisdictional issue on the ground that the deceased resided outside Mumbai. It is, however, admitted that the Will was made in Mumbai, registered in Mumbai and relates to at least one immovable property situated within the limits of Original Civil Jurisdiction of this Court. Clearly, it is only this Court that has the jurisdiction to entertain this Petition for probate, especially having regard to the provisions of Section 57 of the Indian Succession Act.

2. The Notice of Motion is dismissed. There will be no order as to costs.

(G. S. PATEL, J.)