

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 92 OF 2008
IN
TESTAMENTARY PETITION NO. 484 OF 2005**

Muradkhan Murtazakhan Babi ...Plaintiff

Versus

Sujatkhanji Rustomkhanji ...Defendant

Mr. Naidu, with Mr. Mayuresh D. Nagle, for the Plaintiff.
Mr. Shardul Singh, i/b B. Amin & Co., for Defendant No. 1.

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

PC:-

1. There are three Caveats. On behalf of the Caveator named Sujatkhanji Rustomkhanji Babi, who is personally present in Court, an application is made for withdrawal of the Caveat dated 31st December 2008. That Caveat is dismissed as withdrawn.
2. A statement is made on behalf of the Petitioners that other two Caveators have also filed Affidavits seeking withdrawal.
3. Mr. Naidu points out that Caveator No. 3, i.e., Mumtaz Zohra Bakhte, died on 15th July 2014. Her daughter, Nasreen, is present in

Court. She is the remaining Caveator. She confirms that she does not wish to pursue her Caveat and that she has filed her Affidavit on 2nd April 2011 to this effect. This Caveat is also dismissed as withdrawn.

4. Thus, there are no pending Caveats. The Petition for Letters of Administration with Will annexed is to be placed with Miscellaneous Petition No. 10 of 2005 on 19th August 2016.

(G. S. PATEL, J.)