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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 6 OF 2016**

IN

CAVEAT NO. 295 OF 2015

IN

TESTAMENTARY PETITION (L) NO. 1800 OF 2015

Rajendra Pal Kapoor

...Petitioner

Versus

Rahul Ravi Kapur

...Caveator

**Mr. Nirman Sharma, with Ms. Shivani Soni, i/b Deven Dwarkadas
& Partners, for the Petitioner.**

Mr. Rahul Ravi Kapur, Caveator in person.

CORAM: G.S. PATEL, J

DATED: 10th June 2016

PC:-

1. Heard.

2. The Caveator appears in person. He is the grandson of the deceased. It is an admitted position that his father, the deceased's son, is still alive. As a result, the Caveator has no caveatable interest. He is not a heir of the deceased Mrs. Nirmal Ramlal Kapur. In view

of this, the Chamber Summons seeking discharge of the Caveat must succeed and the Caveat must be discharged.

3. Having said that, my understanding is that the Caveator's concern is that he was dispossessed some time ago from the premises in which he claims to have been staying with his deceased grandmother. This is not either an appropriate or correct remedy for that purpose. The Caveator is at liberty to adopt such proceedings as he may be advised to protect his rights and contentions.

4. The Chamber Summons is made absolute in terms of prayer clause (a) with no order as to costs.

(G. S. PATEL, J.)