

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

**NOTICE OF MOTION NO.23 OF 2016
IN
TESTAMENTARY SUIT NO. 184 OF 2014**

Arun Narsinha Borkar & Ors. .. Applicants

In the matter between :

Arun Narsinha Borkar & Ors. .. Plaintiffs

Vs.

Pratima Mukund Borkar & Anr. .. Defendants

Mr.Rushabh Sheth a/w. Mr.Rajesh Dubey i/b M.S.Bodhanwalla and Co. for plaintiff/applicants.

None for defendants.

CORAM : K.R.SHRIRAM, J.

DATE : 1ST MARCH, 2017

P.C.

1 Nobody was present on 25th January 2017 of the respondents/defendants, therefore, the matter was stood over to 1st February 2017. Thereafter, the matter has got listed today. Nobody is present for the respondents/defendants. Shri Sheth for the applicants/plaintiffs tenders an affidavit of service dated 22nd February 2017 confirming service of the notice of motion and the affidavit in support upon the respondents/defendants-Pratima Mukund Borkar and Dr.Atul Mukund Borkar. Even their earlier advocate has informed the applicants-plaintiffs

that the respondents have taken away the papers with a no objection for engaging the another Advocate.

2 In these circumstances and for the reasons mentioned in the affidavit in support, the notice of motion is allowed in terms of prayer clause (a) and accordingly disposed.

The registry and the plaintiffs are directed to forward a copy of this order to the respondents, viz., Pratima Mukund Borkar and Dr.Atul Mukund Borkar within two weeks from today.

(K.R. SHRIRAM, J.)