

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

**NOTICE OF MOTION NO. 29 OF 2017
IN
TESTAMENTARY SUIT NO. 100 OF 1998
IN
TESTAMENTARY PETITION NO. 861 OF 1998**

Kirit Ramji Thakkar .. Plaintiff
Vs.
1A) Purnima Thakkar & Ors. .. Defendants

Mr.Kirit R. Thakkar i/b R.R. Varma for plaintiff.

Ms.Rekha C. Shukla for defendant nos.2 to 6.

**CORAM : K.R.SHRIRAM, J.
DATE : 3RD MAY, 2017**

P.C.

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1 The counsel for the plaintiff states that the notice of motion is for restoration of the suit that came to be dismissed on 6th January 2017. The counsels states that the parties have amicably settled the matter and this notice of motion be allowed. Ms.Shukla appearing for defendant nos.2 to 6 concurs and agrees for restoration of the suit.

2 The notice of motion, therefore, allowed in terms of prayer clause (a) and accordingly disposed.

The suit is restored to file.

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3 The counsel for the plaintiff and the counsel for defendant nos.2 to 4 state that the parties have amicably settled the matter. The original caveator/defendant no.1-Pravinchandra Ramji Thakkar has expired and his name has been deleted. The consent terms dated 3rd May 2017, signed by the plaintiff, defendant nos.2, 3, 4, 5 and 6 and their respective advocates, is taken on record and marked 'X' for identification. The counsels state that the plaintiff and defendant nos.2 to 6 are present in Court and identify them.

Order in terms of the consent terms.

4 The suit disposed of in terms of the consent terms. The registry to proceed to grant letters of administration with Will annexed as if the petition is unopposed.

5 All to act on a copy of this order duly authenticated by the Associate of the Court.

(K.R. SHRIRAM, J.)