

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

**TESTAMENTARY SUIT NO. 83 OF 2017
IN
TESTAMENTARY PETITION NO.1142 OF 2013**

Daisy Minoo Doctor ...Deceased

Sarosh Minoo Doctor ...Plaintiff

vs.

Percy Minoo Doctor ...Defendant

Mr.Rahul Jain for Plaintiff.

Mr.Tehemton B. Dalal for Defendant.

Ms.Kavita Ambekar, 1st Asstt.to Court Receiver.

CORAM : S.C. GUPTE, J.

11 OCTOBER 2017

P.C. :

Learned Counsel for the parties tender consent terms duly signed by the parties and their respective Advocates. Learned Counsel seek disposal of the testamentary suit as withdrawn in terms of the consent terms. The consent terms are taken on record, marked "X" for identification. The statements and undertakings contained therein are accepted. The testamentary suit and petition stand disposed of as withdrawn.

2 The Court Receiver, High Court, Bombay, appointed vide an order dated 26 September 2016 shall stand discharged subject to payment of the costs, charges and expenses of the Court Receiver. The Court Receiver shall submit a memo of such costs, charges and expenses to the Plaintiff/Petitioner. Upon receipt of the memo, the payment shall be made

within three weeks. Refund of court fees in accordance with the applicable rules. This order is passed in the presence of the parties to the testamentary suit and petition. The keys of the locker, being Locker No.1966, shall be handed over by the Court Receiver jointly to the Advocates of the Petitioner and the caveator. The amount of Rs.3000/- lying to the credit of the testamentary suit shall be appropriated by the Court Receiver towards his costs, charges and expenses. The Receiver is discharged without passing accounts.

(S.C. GUPTE, J.)