

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO.47 OF 2003
IN
PETITION NO.379 OF 2003

Feroze H. Bamboat and another ... Petitioners/ Plaintiffs
Vs.
Pesi Ardeshir Wadia ... Defendant

WITH
TESTAMENTARY SUIT NO.48 OF 2003
IN
PETITION NO.380 OF 2003

Feroze H. Bamboat and another ... Petitioners/ Plaintiffs
Vs.
Pesi Ardeshir Wadia and another ... Defendants

Mr.Dharmesh Pandya i/b. Mr. Ashwin Pandya and Associates for Plaintiffs.
Mr. Y. V. Divekar i/b. M/s. Divekar & Co. for Defendant No.1.
Mr. Chaitanya Chavan a/w. Mr. L. A. Rubens, Mr. Ruchit Dave and Mr. J.
D'souza i/b. Vigil Juris for Defendant No.2.

CORAM : R. G. KETKAR, J.
DATE : SEPTEMBER 04, 2017

P.C. :

Heard Mr. Pandya, learned Counsel for plaintiffs, Mr. Divekar, learned Counsel for the defendant No.1 and Mr. Chavan, learned Counsel for the defendant No.2.

2. Mr. Divekar states that defendant No.1 is present in the Court. He has tendered photocopy of his Aadhar Card, which is taken on record and marked 'A' for identification. Mr. Chavan states that defendant No.2 is present in the Court. He has tendered photocopy of his Aadhar Card, which is taken on record and marked 'B' for identification. Defendant No.2 has also filed affidavit dated 01.09.2017 declaring that he is

unconditionally withdrawing the Caveat and for disposal of the testamentary Suits. The same is taken on record and marked 'C' for identification.

3. Upon taking instructions from defendants No.1 and 2, their respective Counsel state that defendants withdraw the Caveats filed by them. Statements made, on instructions, are recorded. Accordingly Caveats filed by defendants No.1 and 2 are allowed to be withdrawn. Testamentary Suits No.47 of 2003 and 48 of 2003 stand disposed of and Testamentary Petitions No.379 of 2003 and 380 of 2003 are allowed in terms of paragraph 12 of the Petitions and Probate is granted in the Petitions having effect through out India, reserving liberty to the remaining Executrix - Mrs. Shirin Nani Javeri and Executor - Mr. Yezdi K. Bhagawakar to come in and apply for Probate later on. Issuance of certified copy and Probate is expedited. Order accordingly.

(R. G. KETKAR, J.)

Minal Parab