

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

**TESTAMENTARY SUIT NO.47 OF 2008
IN
TESTAMENTARY PETITION NO.792 OF 2007**

Bhupendra Muljibhai ShahPlaintiff

Vs.

Kirit Prabhudas Mehta and Anr.Defendants

**WITH
TESTAMENTARY SUIT NO.58 OF 2008
IN
TESTAMENTARY PETITION NO.956 OF 2007**

Kirit Prabhudas Mehta and Anr.Plaintiffs

Vs.

Bhupendra Muljibhai ShahDefendant

None for the plaintiff in TS/47/2008 and for the defendant in TS/58/2008.
Ms. Sucheta Joshi-Dongre i/b. Mr. Pankaj Thatte for the plaintiff no.2 in
TS/58/2008.

**CORAM : K.R.SHRIRAM, J.
DATE : 3rd MARCH, 2017**

P.C.:

TESTAMENTARY SUIT NO.58 OF 2008

1 Ms. Joshi-Dongre, counsel instructed by Mr. Pankaj Thatte
states that they will file Vakalatnama on behalf of plaintiff no.2 within one
week from today. Statement accepted.

2 Matter be listed for directions on 24th March, 2017.

TESTAMENTARY SUIT NO.47 OF 2008

1 The service report filed by the registry on 18th February, 2017

states that the plaintiff – Bhupendra Muljibhai Shah has been served a copy of the order dated 31st January, 2017 on 8th February, 2017.

2 Nobody is present for the plaintiff today. Ms. Joshi-Dongre, on instructions states that her instructions are that Bhupendra Muljibhai Shah has expired on 1st October, 2011.

3 Therefore, since nobody has come forward to step into the shoes of the plaintiff – Bhupendra Muljibhai Shah, the suit stands abated and accordingly stands disposed.

(K.R. SHRIRAM, J.)