

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.90 OF 2015
IN
TESTAMENTARY PETITION NO.934 OF 2013**

Sandhya William Peters and Ors.	Petitioners
Vs.	
Regina William Joseph Peters	Respondent

Mr. Gajendra Jaywant Waity for petitioners.
None for respondent.

**CORAM : K.R.SHRIRAM, J.
DATE : 25th APRIL, 2017**

P.C.:

1 Petitioners have filed an affidavit of service dated 14th August, 2015 confirming service of copy of the petition upon respondent. In the affidavit of service it is also mentioned that communications informing respondent about the subsequent dates were also sent but respondent chose to remain absent. Based on this affidavit of service, the court was pleased to admit the petition and also restrained respondent from acting upon the grant of Letters of Administration dated 20th March, 2014.

2 No affidavit in reply opposing the petition has been filed. Nobody has also entered appearance on behalf of respondent. In the circumstances, petition is allowed and accordingly disposed in terms of prayer clauses – (a) and (b) which read as under :

“(a) That this Hon'ble Court be pleased to revoke the grant of

Letters of Administration dated 20th March, 2014 granted to the respondent in petition no.934 of 2013.

(b) That the respondent be ordered and directed by the Hon'ble Court to deposit the Letters of Administration dated 20th March, 2014 forthwith in the Hon'ble Court.”

3 Respondent is directed to deposit the Letters of Administration dated 20th March, 2014 with the Prothonotary and Senior Master, High Court, Bombay within four weeks from today.

4 Petitioners are directed to serve a copy of this order upon respondent by hand delivery. Registry to also forward a copy of this order to respondent.

5 Testamentary petition no.934 of 2013 is restored to file. Petitioner herein, should she wish to file a caveat together with affidavit in support of caveat in Testamentary petition no.934 of 2013, may do so within four weeks from today.

(K.R. SHRIRAM, J.)