

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

**TESTAMENTARY PETITION NO. 790 OF 2011
WITH
NOTICE OF MOTION NO. 99 OF 2012
IN
TESTAMENTARY PETITION NO. 790 OF 2011**

1. Ravi Kiran Aggarwal & Anr. .. Petitioners

Davendra Chetan Das Ahuja .. Deceased

**WITH
NOTICE OF MOTION NO. 180 OF 2012
IN
TESTAMENTARY PETITION NO. 790 OF 2011**

1. Ravi Kiran Aggarwal & Anr. .. Petitioners

Vs.

Mr. Vikram Ahuja .. Respondent

**WITH
CHAMBER SUMMONS NO. 15 OF 2017
IN
TESTAMENTARY PETITION NO. 790 OF 2011**

Ravi Kiran Aggarwal & Anr. .. Petitioners

Vs.

Tania Vijaysingh Deol .. Applicant/Respondent

Ms. Yasmin Bhansali i/b Yasmin Bhansali & Co. for petitioner.

Mr. Pankaj R. Thatte for applicant in NMT/180/2012.

Mr. Kunal Mehta a/w. Mr. Aditya Mehta i/b Negandhi Shah and Himayatullah for applicant in CST/15/2017.

**CORAM : K.R.SHRIRAM, J.
DATE : 24TH FEBRUARY, 2017**

P.C.

CHAMBER SUMMONS NO. 15 OF 2017

1 This chamber summons is listed for substituting the applicant in place of the original petitioner and leave to amend the petition as per the schedule annexed to the chamber summons.

2 Heard the counsel and also considered the affidavit in support along with the amendment sought. For the reasons mentioned in the affidavit in support, the chamber summons is allowed in terms of prayer clause (a) with clarification that in the schedule of amendment, viz., item No. VI, i.e, portion marked in red ink is not granted.

The amendment to be carried out and the amended petition to be served upon the legal heirs within two weeks. Should the legal heirs wish to file a caveat to oppose the petition as amended, they may do so within two weeks of receiving the copy of the petition.

3 Chamber summons disposed accordingly.

4 In view of the above order, notice of motion No.180 of 2012 does not survive, the same also stands disposed.

5 There is another notice of motion No.99 of 2012 which is pending.

Ms.Bhansali states that she will hand over whatever papers she has in this matter to M/s.Negandhi Shah and Himayatullah who have now entered appearance for the petitioners.

Leave to amend the cause title in the notice of motion no. 99 of 2012 is also granted.

6 In this notice of motion where the reliefs sought is to order the sale of the revolver that was owned by the deceased together with 24 cartridges, the affidavit in support is filed by the earlier petitioners who were the executors. Shri Mehta for the applicant seeks leave to withdraw the notice of motion with liberty to take out fresh notice of motion.

7 The notice of motion No.99 of 2012 dismissed as withdrawn with liberty as sought.

(K.R. SHRIRAM, J.)