

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

NOTICE OF MOTION NO.204 OF 2016

IN

C.T.S. NO.169 OF 2016

IN

PETITION NO.94 OF 2016

AND

NOTICE OF MOTION NO.205 OF 2016

IN

TESTAMENTARY PETITION NO.95 OF 2016

IN

TESTAMENTARY SUIT NO.116 OF 2016

Nishikant Shivajirao Chowgule

....Petitioner

V/s.

Mrs.Ranjana Rajeev Sawe (caveator)

....Respondent

Mr.Anil Tiwari i/by S.U.Lakdawala for the plaintiff/applicant.

Mr.R.T.Rajguroo for the caveator/respondent.

CORAM : K.R.SHRIRAM,J

DATE : 29.3.2017

P.C.:-

1 These Notices of Motion are taken out for rejecting the caveat filed by the respondent.

2 The petitioner and the caveator are children of the deceased one Shivajirao Dattajirao Chowgule who expired on 16.3.2014. His wife i.e., the mother of the petitioner and the caveator pre-deceased the deceased, died along with the deceased in

unfortunate fire incident. The petition has been filed for grant of letters of administration without Will. In the affidavit in support of the caveat, caveator has taken various grounds as to why letters of administration should not be granted. When I consider the affidavit in support of this Notice of Motion, the same appears to be an affidavit in reply to the affidavit in support of the caveat with no grounds mentioned as to why caveator does not have a caveatable interest. The only reason stated for rejection of caveat is that the grounds taken by the caveator for opposing the petition are frivolous and baseless.

In view thereof, the Notices of Motion dismissed.

(K.R.SHRIRAM,J)