

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

**JUDGE'S ORDER NO.93 OF 2017
IN
TESTAMENTARY PETITION NO.565 OF 2016**

Surbhi Manmohandas Shah ... Deceased

Swati Harit Papaiya ... Petitioner

Mr. Prabhu Velar for the Petitioner.

CORAM : S.C.GUPTE, J.

DATE : 9 OCTOBER 2017

P.C. :

. The present Judge's Order is sought in a testamentary petition for letters of administration to the property and credits of deceased Surbhi Manmohandas Shah. The deceased died on 31 July 2014. The petition was not contested by any of the legal heirs or next of kin of the deceased. All legal heirs of the deceased, whose names are set out in paragraph-4 of the Petition, filed consent affidavits in support of the petition. The grant was accordingly made on 21 October 2016. The Petitioner now seeks to sell the suit property for a consideration of Rs.1,27,00,000/- as per Memorandum of Understanding dated 27 August 2017, annexed as Exhibit 'B' to the affidavit in support of the Judge's Order, and distribute the sale proceeds amongst legal heirs of the deceased set out in paragraph-4 of the petition. Affidavits-cum-no objections of all legal heirs other than the Petitioner, are annexed to the affidavit in support of the Judge's Order. The

application of the Petitioner is accordingly allowed. A separate Judge's Order is signed in this behalf.

(S.C. GUPTE, J.)