

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 57 OF 2005**

IN

TESTAMENTARY PETITION NO. 189 OF 2005

WITH

TESTAMENTARY SUIT NO. 61 OF 2006

IN

TESTAMENTARY PETITION NO. 438 OF 2005

Savitri Jagdish Gupta

...Plaintiff

Versus

Dinesh S Gupta

...Defendant

Mr RS Tripathi, *i/b JR Vakil & Associates, for the Plaintiff in
TS/57/05 and for the Defendant in TS/61/006.*

Mr Bhavin Gada, *with Ms Najafia, i/b LC Tolat & Co, for the
Defendant in TS/57/05.*

CORAM: G.S. PATEL, J

DATED: 28th August 2018

PC:-

**TESTAMENTARY SUIT NO. 57 OF 2005 IN
TESTAMENTARY PETITION NO. 189 OF 2005**

1. The executor is present in Court. He is also a beneficiary under the Will. He seeks to withdraw the Petition for Probate. Testamentary Suit No. 57 of 2005 is dismissed as withdrawn.
2. The Testamentary Petition No. 189 of 2005 will also stand dismissed as withdrawn. No costs.
3. Refund of Court fees in accordance with the Rules.

**TESTAMENTARY SUIT NO. 61 OF 2006 IN
TESTAMENTARY PETITION NO. 438 OF 2005**

4. List the Suit under the caption of settlement on 17th September 2018.

(G. S. PATEL, J)