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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INESTATE JURISDICTION
TESTAMENTARY SUIT NO. 72 OF 2012
IN
TESTAMENTARY PETITION NO. 532 OF 2011
WITH
NOTICE OF MOTION NO. 279 OF 2017

Varsha Jimmy Daruwalla	...Applicant
<i>In the matter between</i>	
Varsha Jimmy Daruwalla	...Plaintiffs
<i>Versus</i>	
Prakash Upendralal Dalal	...Defendant
<i>And</i>	
The Manger Oriental Bank of Commerce	...Respondent

Mr SU Pandey, *for the Applicant.*
Dr Abhinav Chandrachud, *a/w Mr Danish Gala, i/b VimaDalal &*
Co, for the Defendant.

CORAM: G.S. PATEL, J
DATED: 23rd January 2018

PC:-

Notice of Motion No. 279 of 2017:

1. Mr Pandey agrees that the reliefs sought in this Notice of Motion are not maintainable in view of the settled law on the subject.

2. I concur.

3. The Notice of Motion is dismissed as withdrawn with liberty to Mr Pandey to adopt appropriate proceedings, if available in law.

Testamentary Suit No. 72 of 2012:

4. The dispute is between siblings. There is one other sister who is to be made a party. With a little persuasion from the Court, I am happy to note that the parties have, with the assistance of Mr Gala and Mr Pandey, in principle agreed to settle all their disputes. I have a handwritten proposal that has been worked on by Mr Gala and Mr Pandey. I will take this on record for completeness.

5. Parties request that the matter be kept on Tuesday. The other sister stays abroad as does the Defendant. Their signatures may be obtained on a document sent to them as an email attachment, printed out, scanned and returned in pdf format. A print out will be accepted for the purposes of settlement. A soft copy of the pdf should be furnished on a pen drive as well containing the email and the scans of the signed drafts. I am using this protocol in order to avoid delay, costs and inconvenience to the parties. I will pass further directions on the next date regarding maintaining a complete signed digital copy of these documents.

6. List the matter on 31st January 2018 on the supplementary board.

(G. S. PATEL, J)