

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO. 709 OF 2021
IN
TESTAMENTARY SUIT NO. 88 OF 2016**

Satish Chimanlal Shah ...Plaintiff
Versus
Himanshu Chimanlal Shah & Ors ...Defendants

Mr AS Pal, *WITH Siddharth Mehta, i/b Siddharth Mehta, for the
Applicant/Original Plaintiff No. 1.*
Mr Anjal Amin, *i/b B Amin & Co., for Defendant No. 1.*

CORAM: G.S. PATEL, J
(Through Video Conferencing)
DATED: 9th April 2021

PC:-

1. Heard through video conferencing.
2. The original Plaintiff No. 2 has passed away. The Petition is for Letters of Administration (de bonis non with probated will annexed) of the property and credits of one Chimanlal Pranjivandas Shah. There is a delay that I am condoning although it is considerable. Citations will need to be issued to the heirs and legal representatives of the original 2nd Plaintiff.

3. The undertaking to produce a Consent Affidavit of the legal heirs of the original 2nd Plaintiff (since deceased) is dispensed with. The 1st Plaintiff is released from the commitment to produce that Consent Affidavit. It appears that the heirs of the deceased 2nd Plaintiff are not willing to consent.

4. Subject to these observations and directions, the Interim Application is made absolute in terms of prayer clauses (a), (b) and (c).

5. All concerned will act on production of an ordinary copy of this order.

(G. S. PATEL, J)