

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 118 OF 2017
IN
TESTAMENTARY PETITION NO. 83 OF 2017**

Bhushan Ravikiran Khavnekar ...Plaintiff
Versus
Vaishali Arun Polekar ...Defendant

**Mr Bernard Reis, with Martina A Sapkal and Priyanka Gaonkar, i/b
Arun Sapkal & Co, for the Plaintiff.
Mr Devendra Nawadkar, for the Defendant.**

**CORAM: G.S. PATEL, J
DATED: 21st September 2021**

PC:-

1. The parties have settled their disputes. Consent Terms are tendered in this contested Testamentary Suit for Letters of Administration with Will annexed. These are signed by the Plaintiff and the Defendant and their respective Advocates. The signatories are present in Court. The Consent Terms are taken on record and marked 'X' for identification with today's date. I am satisfied that the Consent Terms are in order, not contrary to law and have been drawn by the parties of their own volition in reflection of their true intentions.

ARUN
RAMCHNDRA
SANKPAL

Digitally signed by
ARUN RAMCHNDRA
SANKPAL
Date: 2021.09.22
11:09:02 +0530

2. The undertakings, if any, in the Consent Terms being accepted as undertakings to the Court.
3. The Testamentary Suit is decreed in accordance with the Consent Terms.
4. The Testamentary Petition is disposed of in accordance with the Consent Terms.
5. Drawn up decree/order is dispensed with. However, liberty to the parties to apply for a drawn up decree/order, if required.
6. In view of this order, all pending interim applications stand disposed of as infructuous.
7. All previous interim/ad-interim orders to the extent mentioned in the Consent Terms stand vacated.
8. A soft copy of the Consent Terms will be uploaded as the second order in the matter.
9. The Registry is to ensure that the hard copy of the signed Consent Terms is permanently retained on file as part of the record and is not sent for destruction in the ordinary course.
10. To effect the property transfers contemplated in the Consent Terms, liberty to the parties to present a certified or authenticated copy of these Consent Terms and a certified or an authenticated

copy of this order before the Collector of Stamps or Sub-Registrar of Assurances, if required.

11. Court fees are to be refunded in accordance with the Rules. For the purposes of Section 43 of the Maharashtra Court Fees Act and the proviso to that Section, today's date is the date of making a claim for repayment. The Prothonotary & Senior Master will issue a certificate for a refund of Court Fees computed according to the Rules. He will act on production of an authenticated copy of this order without requiring a separate application.

12. All concerned will act on production of a digitally signed copy of this order.

(G. S. PATEL, J)