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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 107 OF 2017
IN
CHAMBER SUMMONS NO. 183 OF 2016
IN
APPEAL NO. 581 OF 2014
IN
TESTAMENTARY SUIT NO 46 OF 2013
AND
TESTAMENTARY PETITION NO 2 OF 1993**

Satyajit S/o Padmakar Rege	Applicant (Prop.Respondents)
<i>In the matter between</i>	
Usha Shrikant Rege	...Appellant (Orig.Plaintiff)
<i>Versus</i>	
Gauri G Rege &	...Respondent
Satyajit S/o Padmakar Rege	... Applicant/ Intervenor

None for the Applicant.

Ms Jesal Shah, i/b Jyoti Shah for Respondent/Original Appellant

**CORAM G.S. Patel &
 Gauri Godse, JJ.
DATED: 12th October 2022**

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1. The Chamber Summons is by a proposed Respondent, one Satyajit Padmakar Rege.
2. The dispute was in regard to a Will by Mangesh Rege. The original Plaintiff, Shrikant Rege, one of the sons of Mangesh Rege. He sought Letters of Administration with Will Annexed. Padmakar Rege, another son, consented to the grant. The Petition was opposed by Gauri Rege, the widow of another son. The suit was thereafter dismissed. Shrikant's widow, Usha, is the Appellant before us. Gauri, too, died. Her daughter Apurva was brought on record as the Respondent in the appeal. Apurva has acute medical condition. She suffers from Down's Syndrome.
3. Between Usha and Apurva all disputes were compromised and we passed an order on 7th October 2022. At that time, it was brought to our attention that the present Chamber Summons was as yet pending. We therefore listed it separately. It was on board yesterday. It did not reach. It was directed to be placed on the supplementary board today.
4. None appears for the Applicant.
5. In any case we do not see how such an application lies. The Applicant, who proposes that he be joined as a Respondent, is the son of Padmakar Rege. The applicant Satyajeet can have no higher rights than Padmakar did in relation to Mangesh's Will. Padmakar had already accepted the Will and consented to the grant of the

Letters of Administration Will annexed in favour of Shrikant Rege, the Original Plaintiff.

6. The Chamber Summons is thoroughly misconceived. Thus, apart from the non appearance of the Applicant and non service of the Chamber Summons, on merits the Chamber Summons is also without substance. It is dismissed.

(Gauri Godse, J)

(G. S. Patel, J)