

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

TESTAMENTARY SUIT NO. 10 OF 2012

IN

TESTAMENTARY PETITION NO. 535 OF 2011

Mr. Devesh Jayendrakant Bhatt

...Plaintiff

Versus

Manisha Hirmanshu Bramh Bhatt

...Defendant

Ms. Divya Gupta for the Plaintiff.

Ms. Khusbu Shah for the Defendant.

CORAM : R.I. CHAGLA J

DATE : 5 August 2022

ORDER :

1. The parties have settled their disputes.

2. Consent Terms dated 5th August 2021 are tendered. The
Consent Terms are taken on record and marked 'X' for identification.

These are signed by the Petitioner/Plaintiff and Advocate for the
Petitioner/Plaintiff as well as by the Respondent/Defendant and the
Advocate for the Respondent/Defendant.

SHARAYU
PANDURANG
KHOT

Digitally
signed by
SHARAYU
PANDURANG
KHOT
Date:
2022.08.11
11:29:46
+0530

3. The Defendant seeks leave to withdraw the Caveat filed in the captioned Testamentary Petition in view of the settlement arrived at between the parties.

4. Leave is granted. The Caveat stands discharged.

5. In clause 2 of the Consent Terms, it is stated that the Respondent has submitted her consent Affidavit dated 23rd June 2022 in the testamentary department consenting to grant of issuance of Probate in favour of the Petitioner.

6. 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.

7. The undertakings, if any, in the Consent Terms being accepted as undertakings to the Court.

8. The Testamentary Suit is converted into Testamentary Petition.

9. Drawn up decree/ order is dispensed with unless the parties seek drawn up decree/ order, in which case they are entitled to apply.

10. Testamentary department shall process the Testamentary Petition for issuance of Probate in favour of the Petitioner.

11. A soft copy of the Consent Terms will be uploaded as the second order in the matter.

12. 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.

[R.I. CHAGLA J.]