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

**TESTAMENTARY PETITION NO.1991 OF 2019
WITH
WILL NO.760 OF 2019
IN
TESTAMENTARY PETITION NO.1991 OF 2019**

Haresh Kantilal Shah

...Petitioner

And

Leelavati Harilal Shah

...Deceased

* * * *

Mr. B. G. Saraf for Petitioner.

* * * *

CORAM : R.I. CHAGLA, J.

DATED : 12th SEPTEMBER, 2022

ORDER :

1. The learned counsel appearing for the Petitioner seeks leave to withdraw the Testamentary Petition No.1991 of 2019 with liberty to file fresh Testamentary Petition. Leave is granted.

2. The Testamentary Petition No.1991 of 2019 is disposed of as withdrawn with liberty as prayed.

3. 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.

(R.I. CHAGLA, J.)