

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

**INTERIM APPLICATION (L) NO. 28032 OF 2021
IN
C.T.S. NO. 78 OF 2021
IN
TESTAMENTARY PETITION NO. 1844 OF 2019**

Seema Sadanand Bhole ... Applicant

In the matter of

Prabhavati Vasudeo Bhole ... Petitioner

Versus

Seema Sadanand Bhole ... Respondent

Mr. Prashant Surve for the Applicant/Original Respondent.
None present for the Petitioner.

CORAM : R.I. CHAGLA, J.

DATED : 21st JANUARY, 2022

ORDER :

1 Heard the learned Counsel appearing for the Applicant. By this Interim Application the Applicant has sought dismissal of the Testamentary Petition No.1844 of 2019 on the ground that the Petitioner has expired on 31.08.2021 and that the Petition has accordingly become infructuous.

2 Considering that the Petitioner has expired on 31.08.2021 and a copy of the death certificate is annexed at Exhibit-1 to the Interim Application, the following order is passed :-

- i) The Testamentary Petition No.1844 of 2019 is dismissed on the ground that the Petition has become infructuous on the demise of the Petitioner.
- ii) The C.T.S. No.78 of 2021 does not survive and is accordingly disposed of.
- iii) The Testamentary Suit No.53 of 2021 also does not survive and is accordingly disposed of.
- iv) Interim Application No.28032 of 2021 is disposed of in the above terms.
- v) There shall be no orders as to costs.

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(R.I. CHAGLA, J.)