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

TESTAMENTARY SUIT NO.117 OF 2019
IN
TESTAMENTARY PETITION NO.2717 OF 2018

Shri Tapan Vijay Desai

...Plaintiff

Versus

Shalini Krishna Desai

...Caveatrix /
Respondent

Babita Pandey for the Plaintiff.

Anand Kate for the Defendant.

P.G. Lad with Shreya Shah for MHADA.

CORAM : R.I. CHAGLA J.

DATE : 28TH JULY, 2022

ORDER :

1. The parties have settled their disputes. Consent Terms dated 22nd July, 2022 are tendered and taken on record and marked 'X' for identification. These are signed by the Plaintiff / Petitioner and Advocate for the Petitioner as well as by the Caveatrix / Defendants and Advocate for the Defendant.

2. In view of the Consent Terms the Caveatrix / Defendant seeks leave to withdraw the Caveat. Leave is granted. Caveat of the Caveatrix / Defendant is discharged in accordance with Consent Terms.

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

4. The Testamentary Suit is disposed of and decreed in accordance with the Consent Terms.

5. Caveatrix / Defendant has given consent to the Letters of Administration being granted in favour of the Petitioner / Plaintiff with respect to property situated at Flat No.704, 7th Floor, Sai Darshan CHS Ltd., MGS Colony, Patel Nagar, Kandivali West, Mumbai 400 067. Accordingly, Letters of Administration shall be granted in favour of the Petitioner / Plaintiff with respect to the aforementioned flat.

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

to apply.

7. In view of the disposal of the Testamentary Suit, Testamentary Petition shall be processed expeditiously for grant of Letters of Administration by the Testamentary Department.

8. The Interim Applications, if any, filed do not survive and are disposed of accordingly.

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

10. 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.]