

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

TESTAMENTARY SUIT NO. 17 OF 2001

IN

TESTAMENTARY PETITION NO. 51 OF 2001

(This order is corrected as per speaking to the minutes of the order dated 06th December, 2023)

Smt. Sushma V. Rathore

...Plaintiff/Petitioner

Versus

Suresh S. Bhadoria

...Defendant

*** * ***

- Mr. V.C. Singh i/b K.M. Bhatia, for Plaintiff/Petitioner.
- Ms. Disha Karambar a/w Ms. Manasi Pandit, for Defendant.
- Ms. Sumitra Bhadoria, Sonal Bhadoria @ Sonal Singh, Smt. Esha Singh @ Esha Bhadoria, Mr. Sailesh Singh, are present in Court.

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CORAM : MANISH PITALE, J.

DATE : 06th NOVEMBER, 2023.

P. C. :

1. The learned Counsel for the parties jointly submit that the disputes are now settled and that Consent Terms have been executed. Consent Terms are tendered.

2. It is brought to the notice of this Court that the Consent Terms are signed by four legal heirs of the Caveator, as also the Petitioner/ Plaintiff and their respective advocates.

3. It is further submitted that the Consent Affidavits of the four legal heirs of the caveator are also sworn. The four affidavits are also tendered. The Consent Terms, as well as the four consent affidavits are taken on record and marked "X" for identification.

SHRIKANT
SHRINIVAS
MALANI

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SHRIKANT
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Date: 2023.12.07
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4. In the Consent Affidavits the legal heirs of the Caveator has specifically stated that they are withdrawing the caveat for facilitating the Probate Petition being allowed.
5. In the light of the withdrawal of the caveat, the suit is converted into Testamentary Petition and in the light of the statement made in the Consent Terms, the Probate Petition stand allowed as per the Consent Terms.
6. The undertakings given in the Consent Terms are accepted as undertakings given to this Court. The parties to the Consent Terms are directed to abide by their respective obligations, as per the Consent Terms.
7. A soft copy of the Consent Terms shall be uploaded as second order in the matter.
8. The hard copy of the Consent Terms duly signed by the parties and their Counsel shall be retained on the file and shall not be sent for destruction in ordinary course.
9. Pending applications, if any, also stand disposed of.
10. The Court Fees shall be refunded, as per Rules.

(MANISH PITALE, J.)