

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISC. PETITION NO. 210 OF 2022
IN
TESTAMENTARY PETITION NO. 2617 OF 2021

Sadhana Suryasen Jadhav nee Sadhana

...Petitioner

Versus

Ramesh Dashrath Talkar

...Respondent

Ms. Vinali Bhaidkar a/w. Sadhana Jadhav for the Petitioner.
Adv. Fauzan a/w. Adv. Ashok A. Rao for the Respondent.
Ramesh Dashrath Talkar, Respondent Present.

CORAM : ARIF S. DOCTOR, J.

DATE : 09th JANUARY, 2023

P.C. :

1. Learned Counsel appearing on behalf of the petitioner invites my attention to the previous order dated 2nd January, 2023, passed by this Court (Arif S. Doctor,J.) and points out that there is a typographical error which needs to be corrected. In Line 6 of Paragraph 3 of the said order the words ‘the wife of the brother of the deceased’ needs to be corrected and read as “ The sister of the husband of the deceased”. The error is corrected accordingly.

2. Today, the learned Counsel for the respondent submitted that the probate

that has been granted by this Court on 6th May, 2022 can be set aside by consent. The grant is therefore, accordingly revoked and set aside in terms of Prayer Clause (a) which reads as under:-

a) That this Hon'ble Court be pleased to revoke the Grant of Probate issued to the Respondent herein;

3. Since this is essential as a dispute amongst the close family members, it was suggested to the parties if the same could be settled by way of a Mediation.

4. Both the learned Counsel stated that their respective clients are present in Court and would be open to attempt Mediation to resolve their disputes and differences. Both the learned Counsel suggested the name of Ms. Priyanka Chatabhuj Kothari, who is a practicing advocate in this Court and present in the Court when the matter was called out. When she was requested, she expressed her ability to act as a Mediator in this matter.

5. Thus, by consent of the parties Advocate Ms. Priyank Chatrabhuj Kothari is appointed to act as a Mediator in this matter. The details of Ms. Priyanka Kothari are as follows:

Ms. Priyanks Chatrabhuj Kothari
Mobile No. 9819655969

*E-mail: law.priyanka@gmail.com
Address: G-1, Ground Floor,
Mittal Avenue, Nagindas Master Road,
Fort, Mumbai 400 023.*

3. On a copy of this order being uploaded, the learned Counsel for both the parties shall jointly approach the Mediator, Ms. Priyanka Kothari to fix a schedule for Mediation and supply her with all the necessary documents that are required. The cost of Mediation shall be shared equally by both the parties.
5. In the light of this order, Testamentary Petition No. 2617 of 2021 stands revived with liberty to the petitioner to follow due compliance in respect thereof.
6. Miscellaneous Petition is disposed of accordingly.

(ARIF S. DOCTOR, J)