

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 2038 OF 2000

Zina M. Fernandes

....Plaintiff

V/s.

1(A) Carol Pereira and Ors.

....Defendants

ALONGWITH

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

TESTAMENTARY SUIT NO. 81 OF 1999

IN

TESTAMENTARY PETITION NO. 519 OF 1998

Mrs. Cynthia A. D'mello

and Ors.

...Plaintiffs

V/s.

Zina M. Fernandes and anr.

...Defendants

Mr. Darryl Pereira with Mr. Beverly Fernandes i/by. Mr. Deepak J. Lullia, for the Plaintiff in Suit No. 2038-2000 and for Defendants in Testamentary Suit No. 81-1999.

Mr. Suneel D. Mogre, for Plaintiff in Testamentary Suit No. 81-1999 and for Defendants in Suit No. 2038-2000.

CORAM : SANDEEP V. MARNE, J.

Dated : 15 January 2024.

P.C. :

Suit No. 2038 of 2000 :

1. The learned counsel appearing for the Plaintiff and the learned counsel appearing for the Defendants would jointly submit that the dispute between the parties has been amicably settled. The learned counsel appearing for the Plaintiff seeks leave to withdraw the Suit and tenders Consent Terms signed by the Plaintiffs and some of the Defendants. The Consent Terms are taken on record and marked 'X' for identification. Under the Consent Terms, the Plaintiffs have agreed to unconditionally withdraw the Suit. The Suit is permitted to be **withdrawn and disposed of**.

Testamentary Suit No. 81 of 1999 :

2. The learned counsel appearing for the Original Petitioners/Plaintiffs and the learned counsel appearing for the Original Caveator/Defendant would jointly submit that the parties have amicably settled the dispute amongst themselves. They would tender Consent Terms filed by the Original Petitioners/Plaintiffs as well as by the Original Caveator/Defendant. The Consent Terms are taken on record and marked 'X' for identification. Under the Consent Terms, the Defendants have withdrawn the Caveat filed

in the petition and have prayed that Letters of Administration be granted as prayed for by the Original Petitioners/Plaintiffs. The Testamentary Suit is accordingly **decreed** in terms of the Consent Terms. Registry to take necessary steps for issuance of Letters of Administration as per the Consent Terms.

NEETA
SHAILESH
SAWANT

SANDEEP V. MARNE, J.

Digitally signed by
NEETA SHAILESH
SAWANT

Date: 2024.01.16
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