

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 27th February, 2024.

CALLED FOR DIRECTION:

**2. CHOL/50/2024
in
S/610/2019**

) **Ms. Malcolm Siganporia a/w Ayesha Pinto i/b**
) **Saamya Partners, Advocate for Applicant Nos. 1**
) **to 3/Orig. Deft. Nos. 1 to 3.**

) **Mr. Manee Vishwakarma i/b K. P. Tiwari & Co.,**
) **Advocate for Deft. Nos. 1 to 7.**

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) **P.C. :** 1. The present Chamber Order is taken out
) by the Applicants (Deft. Nos. 1 to 3) for
) discharge of Advocate, K. P. Tiwari and Co.
) as Advocate for Deft. Nos. 1 to 3.

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) 2. Perused Chamber Order and Affidavit
) in support. The ground for obtaining
) discharge is mentioned in paragraphs – 4
) to 10.

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) 3. The Ld. Advocate, Mr. Manee
) Vishwakarma appearing for K. P. Tiwari &
) Co. has objected for the discharge and for
) delay of the testamentary proceeding. The
) main issue of contesting the discharge is
) only about the professional fees. There is
) no other ground argued by the Ld.
) Advocate, Mr. Manee Vishwakarma.

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) 4. After going through the Chamber Order,
) Affidavit in support and upon hearing the
) Ld. Advocates for Applicants/Deft Nos. 1 to
) 3 and K. P. Tiwari and Co., I am of the view
) that discharge cannot be withhold only
) for non-payment of Advocate fees.
) The question of payment of fees is to be

)

...2/-

Contd. ...3/-

CHOL/50/2024

in

S/610/2019

Advocate for Deft. Nos. 1 to 3. Defendant Nos. 1 to 3 to communicate this Order to Advocate, M/s. K. P. Tiwari and Co. and thereafter, Defendant Nos. 1 to 3 to engage any other Advocate, if they so desire.

10. Chamber Order is disposed of. Order accordingly.

27.02.2024

**Addl. Registrar (O.S.) /
Addl. Prothonotary and Senior Master**