

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

TESTAMENTARY SUIT NO. 138 OF 2024  
IN  
TESTAMENTARY PETITION NO. 415 OF 2024

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Mahendra Devkinandan Choithramani ...Plaintiff

**Versus**

Harkishan Gopi Jairam Bhambhani ...Defendant

Mr. D. G. Tripathi, for the Plaintiff.

Mr. Dhishan Kukreja, i/b Suraj Dubey, for the Defendant –  
Caveator.

Mr. Mayank Mishra, Legal Heir of Madhavdas Bhambhani,  
present.

**CORAM: N. J. JAMADAR, J.**

**DATED: 12<sup>th</sup> JUNE, 2024**

**PC:-**

1. Heard the learned Counsel for the parties.
2. The learned Counsel for the parties submit that the plaintiff and the heirs of Late Jairam Tejumal Bhambhani the deceased, including Harkishan Gopi Jairam Bhambhani, the defendant, have arrived at a settlement of the dispute. The parties have executed the Consent Terms.
3. The learned Counsel for the parties seek leave to tender the Consent Terms.

Leave granted.

4. Mr. Mahendra Choithramani, the plaintiff – petitioner in TP/415/2023, is present before the Court. Mrs. Gopi Bhambhani, the wife of the deceased, Mrs. Jyoti Amar Methwani (alias Bina Jairam Bhambhani), Mr. Madhavdas Jairam Bhambhani and Mr. Harkishan Gopi Jairam Bhambhani, daughter and sons, respectively, of the deceased are also present before the Court.

5. The parties, upon being enquired specifically state that they have amicably resolved the dispute and Consent Terms have been arrived at. The parties admit the contents of the Consent Terms and execution thereof.

6. The Consent Terms appear to have been voluntarily executed. It further appears that the parties have arrived at comprehensive settlement of the dispute. The Consent Terms are thus taken on record and marked “X”.

7. The parties have agreed that the deceased died intestate. Mrs. Gopi Bhambhani, who had filed Caveat and Mrs. Jyoti Amar Methwani (alias Bina Jairam Bhambhani), Mr. Madhavdas Jairam Bhambhani and Mr. Harkishan Gopi Jairam Bhambhani, be added as defendants in the Testamentary Suit.

8. The parties have further agreed that the Testamentary Suit and Testamentary Petition be disposed in accordance with the Consent Terms.

9. In view of the Consent Terms (X) and the statements made by the parties before the Court and the submissions on behalf of the parties, Mrs. Gopi Bhambhani, who has filed Caveat, and Mrs. Jyoti Amar Methwani (alias Bina Jairam Bhambhani) and Mr. Madhavdas Jairam Bhambhani are permitted to be added as defendant Nos.2 to 4 in Testamentary Suit No.138 of 2024.

10. The plaintiff shall carry out the necessary amendment forthwith.

11. Reverification is dispensed with.

12. Testamentary Suit No.138 of 2024 and Testamentary Petition No.415 of 2024 stand disposed in accordance with the Consent Terms (X).

13. The undertakings given in the Consent Terms (X) are accepted as the undertakings to the Court.

14. The Caveat also stands discharged.

[N. J. JAMADAR, J.]