

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

INTERIM APPLICATION NO.1312 OF 2024
IN
CAVEAT (L) NO.15418 OF 2021
WITH
INTERIM APPLICATION NO.1314 OF 2024
IN
CAVEAT (L) NO.15420 OF 2021
IN
TESTAMENTARY PETITION NO.482 OF 2021

Sharmela Ramesh Iyer ...Petitioner

vs.

Foram Desai ...Respondent

Mr. Aditya Raut i/b. Desai Desai, for he Petitioner.
Ms. Simantini Mohite a/w. Mr. Robin Fernandes, Mr. Sukrit
Parashar & Ms. Lillyan Thangkhiew i/b. Vesta Legal, for the
Caveators.

CORAM : N. J. JAMADAR, J.

DATE : JUNE 24, 2024

P.C.:

1. Heard the learned counsel for the parties.
2. These Interim Applications are preferred for a declaration that there is no delay in lodging the Caveat and, in the alternative, to condone the delay in filing the Caveat.
3. The learned counsel for the petitioner, on instruction, submits that the petitioner has no objection to condone the delay in lodging the Caveat as the parties have settled the dispute and consent terms have been executed.
4. In view of the aforesaid submission on behalf of the petitioner,

the delay in lodging the Caveat deserves to be condoned.

5. The applications thus stand allowed in terms of prayer clause (b).
6. The delay in lodging the Caveats stands condoned.
7. Caveats be registered.
8. Petition be converted into Testamentary Suit.
9. Liberty to the parties to mention, once the petition is converted into Testamentary Suit.

Applications disposed.

(N. J. JAMADAR, J.)