

ary

Before: **Shri S. S. Agate**

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 24th April, 2025.

CALLED FOR HEARING AND FINAL DISPOSAL:

1. CHOL/168/2025
in
TP/2539/2024

) **Ms. Afrin Zubin Dalal, Advocate for the third party**
) **Applicant.**
)
)

) **P.C.:** 1. This Chamber Order is taken out by
)
) Petitioner, Divya Mukesh Patel seeking
)
) discharge to her Advocate, Mr. K. C. Tiwari
)
) in captioned Testamentary Petition
)
) No. 2539 of 2024.
)
)

) 2. The Applicants have filed Affidavit of
)
) service dated 04.04.2025. In spite of
)
) service, no one is present on behalf of
)
) Advocate K. C. Tiwari.
)
)

) 3. Perused Affidavit in support dated
)
) 03.10.2024. Para – 1, 2 and 8 are relevant
)
) which are reproduced hereunder;
)
)

) “XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

) 1. I say that, Mr. K C Tiwari had filed a
)
) Testamentary Petition for Letters of
)
) Administration as mentioned above on 18th
)
) March 2024 based on the documents, I shared
)
) with him;
)
)

) 2. I say that Mr. K. C. Tiwari, since the past
)
) two dates has only taken time, however, upon
)
) asking him the same, neither would he respond
)
) nor update the Petitioner regarding her matter;
)
)

) 8. It is pertinent to note that despite being
)
) aware of gravity of the situation Mr. K
)
) C Tiwari deliberately hereby failed to take
)
) prompt steps and advise me. I say
)
) that the said action, conduct and demeanor,
)
) tantamount to a fraud played upon the Ld.
)
)

) ...2/-
)

Offices of this Hon'ble Court and a suspected foul play of which I am a victim."

4. I am satisfied that the Applicant has substantially complied with the procedure for obtaining discharge under High Court, Original Side Rules read with the provisions and Rules framed under the Advocates Act.

5. In view of above, Chamber Order is allowed and signed separately. Advocate, Shri K. C. Tiwari has been discharged on behalf of the Petitioner, Ms. Divya Mukesh Patel in Testamentary Petition No. 2539 of 2024. Office to delete the name of Advocate Shri K. C. Tiwari as Advocate for the Petitioner in Testamentary Petition No. 2539 of 2024. The Petitioner, Ms. Divya Mukesh Patel to communicate this Order to the Advocate Shri K. C. Tiwari and thereafter, Petitioner to engage another Advocate, if she so desires.

6. Chamber Order is disposed of accordingly.

24.04.2025

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