

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 67 OF 2016
IN
TESTAMENTARY PETITION NO. 1671 OF 2014

Mr. Ashwin B. Mankodi & Anr.

...Plaintiff

Vs.

Jignasa Parag Janve

...Defendant

WITH
TESTAMENTARY SUIT NO. 151 OF 2024
WITH
TESTAMENTARY PETITION NO. 5378 OF 2024
AND
TESTAMENTARY PETITION NO. 253 OF 2025
WITH
WILL NO. 102 OF 2025

Mr. Ritik Gupta i/by Suvarna Joshi for the Petitioner in TP/5378/2024.

Ms. Ujwala Deshmukh i/by Pradhan and Rao for the Petitioner in TP/253/2025.

Mr. Harsh Behany a/w Atiksha Jaini i/by HN Legal for the Defendant in
TS/67/2016.

CORAM : ARIF S. DOCTOR, J.

DATE : 27TH FEBRUARY, 2025

P.C.:-

1. Parties have today tendered consent terms, by which the disputes
and differences in both the captioned Testamentary Suits as also in Testamentary

Petition (L) No.24377 of 2024 have been resolved. The parties are the children of one Yashwant Tryambaklal Rawal and Smt. Pankaj Yashwant Rawal. Testamentary Suit No.151 of 2024 has been filed for Letters of Administration to the properties and credits of the mother i.e. Smt. Pankaj Yashwant Rawal and Testamentary Suit No.67 of 2016 has been filed for probate in respect of the last Will and Testament of the father i.e. Yashwant Tryambaklal Rawal.

2. Learned Counsel for the Plaintiff in Testamentary Suit No.151 of 2024 submits that by virtue of the consent terms, Testamentary Suit No.151 of 2024 is being withdrawn and insofar as Testamentary Suit No.67 of 2016 is concerned, the Caveat filed by the Plaintiff in Testamentary Suit No.151 of 2024 is being withdrawn. The execution of the consent terms is supported by a report of an Associate of this Court, which inter alia records as follows:

“The signatories have admitted the contents of the Consent Terms. The consent terms are duly signed by the parties out of their free will without any undue influence and coercion. The Consent terms are duly executed by the signatories.”

3. In light of the fact that consent terms have been duly verified, same is marked ‘X’ and taken on record. The Testamentary Suit No.151 of 2024 is accordingly disposed of in terms of the consent terms.

4. A soft copy of the Consent Terms will be uploaded as the second order in the matter. The Registry is to ensure that the hard copy of the signed

Consent Terms is permanently retained on file as part of the record and is not sent for destruction in the ordinary course

5. In view of the consent terms, the Registry to proceed in Testamentary Suit No.67 of 2016 and Testamentary Petition No.253 of 2025 by treating the same as being uncontested.

6. Detag Testamentary Petition No. 5378 Of 2024.

(ARIF S. DOCTOR, J.)