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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO.85 OF 2025
AND
CAVEAT NO.98 OF 2025
IN
TESTAMENTARY PETITION NO. 5553 OF 2024

Rita Pranay Mehta ... Plaintiff
v/s.
Palak Vinit Doshi & Anr. ... Defendants

WITH
CAVEAT (L) NO.3210 OF 2024
IN
TESTAMENTARY PETITION NO.1368 OF 2024
(Not on board, taken on board)

Rita Pranay Mehta ... Petitioner
v/s.
Hetal Vinit Doshi & Ors. ... Respondents/Caveators

Mr. Ashok Boghani i/by Adv. Madhuri Gaikwad i/by M.G. Legal
for the Petitioner/Plaintiff.
Ms. Henna P. Shah for the Respondents/Caveators.

CORAM : Kamal Khata, J.
DATED : 20th June 2025.

P.C.:-

1. Caveat (L) No.3210 in Testamentary Petition No.1368
OF 2024 and Caveat No.98 OF 2025 in Testamentary Petition

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No.5553 of 2024 are not listed on board. However, since the matters are mentioned, they are taken on board.

2. Learned Advocates tender executed Consent Terms dated 20th June, 2025, entered into between the parties. The Consent Terms are taken on record and marked 'X' for identification with today's date.

3. The parties are present in Court, they have been identified and their signatures on the Consent Terms are acknowledged by their respective Advocates. Parties confirm that they have read, understood and accepted the terms. I am satisfied that the Consent Terms are in order, not contrary to law and have been drawn by the parties of their own volition in reflection of their true intentions.

4. The undertakings, if any, contained in the Consent Terms are accepted as undertaking to the Court.

5. Registry is directed to expedite issuance of Grants in both the Petitions.

6. Drawing up of decree is dispensed with. However, liberty is granted to the parties to apply for a drawn-up decree/order, if required.

7. A soft copy of the Consent Terms shall be uploaded as a second Order in the matter.

8. The Registry is directed 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.

9. In Clause (8) of the Consent Terms the parties have agreed that Consent Terms shall be treated as the consent of the respective Caveators/Respondents for the issuance of Grants in both the above Testamentary Petitions. Accordingly, filing of any separate Affidavit/s of consent by the Caveators/Respondents in both the Petitions, is hereby dispensed with. The Office is directed to process issuance of Grants in both the Petitions without insisting for any separate Affidavit/s of consent by the respective Caveators/Respondents in both the Petitions.

10. Refund of Court fees in accordance with the applicable Rules. For the purpose of Section 43 of the Maharashtra Court Fees Act and the proviso to that Section, today's date shall be treated as the date of making a claim for repayment.

11. The Prothonotary and Senior Master may be directed to issue a Certificate for refund of Court Fees in both the Petitions, computed in accordance with the Rules, and to act on production of an authenticated copy of this Order.
12. A decree/Order in terms of the Consent Terms.
13. Petitions are disposed of in terms of Consent Terms.

(Kamal Khata, J.)