

HARSHADA H. SAWANT
(P.A.)

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

INTERIM APPLICATION NO.3437 OF 2025

IN

PETITION NO.751 OF 2025

Manoharlal Chatandas Raheja

.. Applicant

IN THE MATTER BETWEEN:

Madan Chatandas Raheja

.. Deceased

Manoharlal Chatandas Raheja

.. Petitioner

Versus

Khusboo Omprakash Hanswal and Ors

.. Respondents

.....

- Mr. Rashid Khan a/w. Ms. Tasneem Zaidy, Advocates i/by Tasneem Zaidy for Applicant / Petitioner.
- Ms. Shreyashi Panda, Advocate for Respondent No.2 appearing through Video Conferencing.
- Applicant and Respondent No.1 present.

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 24, 2025

P.C.:

- 1.** Mentioned out of turn.
- 2.** Heard Mr. Khan, learned Advocate for Applicant / Petitioner and Ms. Panda, learned Advocate for Respondent No.2 appearing through Video Conferencing.
- 3.** Parties have reconciled their disputes and differences and filed Consent Terms dated 24.09.2025. Consent Terms dated 24.09.2025 are taken on record and marked as 'X' for identification. They are totally running into 5 pages. For reference and convenience,

the Consent Terms are scanned and reproduced below:-

" X " *Manojulha* 25/9/2025 (1)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO.3437 OF 2025
IN
PETITION NO. 751 OF 2025

Manoharlal Chatandas Raheja, Applicant

IN THE MATTER BETWEEN

Petition for Probate of the last Will
and Testament dated 22nd January, 2024
of Madan Chatandas Raheja, Deceased
Manoharlal Chatandas Raheja, Petitioner

AND

1) Khusboo Omprakash Hanswal
2) ICICI Bank
3) INDUSIND Bank Respondents

Consent terms between Applicant / Petitioner and Respondent

No.1

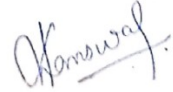
1. The Applicant has already filed Petition for "Probate" of the last Will and Testament dated 22nd January, 2024 of the deceased Late Madan Chatandas Raheja vide Testamentary Petition No. 751/2025 before this Hon'ble Court and it is pending for final hearing / Disposal
2. The Applicant and the Respondent No.1 are executors of the will dated 22-01-2024 of deceased Madan Raheja who expired on 21-07-2024.
3. The Respondent No.1 is not opposing the above Testamentary Petition and has filed / given 2 affidavit dated 09-05-2025 &

[Signature] *[Signature]*

(2)

02.07.2025, consenting for issuance of grant in favour of the Applicant.

4. On 09-07-2024, an amount of Rupees 2,32,00,000/- which was lying in the account No. 003801013876 of ICICI Bank stands in the name of Mr. Madan Chatandas Raheja (deceased) Shubhangi Patwardan and Manoharlal Chatandas Raheja, transferred to the Fixed deposit no. 301007393469 and 301007418052 stands in the name of Madan Chatandas Raheja and Khusboo Omprakash Hanswal (Respondent No. 1) of IndusInd Bank was mandate holder of account of Mr. Madan Chatandas Raheja (deceased) account as either or survivor in the abovementioned accounts. Since the money lying in the said account No. 003801013876 was part of the estate of the said deceased, the Respondent No.1 on 03-09-2024 made an application to IndusInd Bank (Respondent No.3) in respect of her "No Objection" for transferring the said amount to the ICICI Bank account of the nominees mentioned in the "Will" as per Will dated 22-01-2024.
5. The IndusInd Bank (Respondent No.3) informed that the money will be transferred only as per the orders of the court. Accordingly, the petitioner had filed the above interim application in said Testamentary Petition for appropriate relief.
6. Now, the Petitioner/Applicant and the Respondent No.1 have amicably settled the matter and agreed to resolve all the issues and mutually arrived and agreed below mentioned consent terms which are as follows:-



- (3)
- a) It is agreed by the Respondent No.1 that the amount of FD's (with interest) lying in the account No. 301007393469 and 301007418052 of IndusInd Bank (Respondent No.3) be transferred to this Hon'ble Court and be deposited with the Learned Prothonotary and Senior Master till the procedure of obtaining the probate is completed.
- b) It is agreed and accepted by the Respondent No. 1 that the Respondent No.1 has no objection of any nature whatsoever if this Hon'ble Court issues Probate of the will dated 22nd January 2024 duly executed by the deceased Madan Chatandas Raheja in favour of the Applicant/Petitioner.
- c) The Respondent No.1 agrees and confirms that she does not have any right title or interest in estate of the deceased, including in the flat which is under construction at Highlands Panvel, a project of construction by Godrej having address at flat no. 3406, 34th floor, The Highland Tower, Godrej City, Panvel.
- d) It is hereby agreed by the Applicant that, he shall take entire liability of Tax (if it arises) in respect of aforesaid transaction and applicant shall pay those Tax Amount to the Respondent No. 1 or directly pay to the Income Tax Department.
- e) The Petitioner /Applicant hereby agreed and undertake that, he shall not claim anything from the Demat Account No.30302865913436 and Saving Account No. 001101219847 of ICICI Bank, opp Shoppers Stop, Andheri (w) branch in which Respondent No.1 is a Joint Account Holder.

4

- f) The Respondent No.1 is signing the present consent terms without any consideration.
- g) The execution of this present this Applicant /Petitioner withdraws all the allegations made and contentions raised against the Respondent No.1 for self and on behalf of other legal heirs of late Shri. Madan C.Raheja.
- h) The Applicant and Respondent No. 1 hereby agreed and undertake that, they shall withdraw the entire allegation made against each other as well as they shall not initiate any legal proceedings / actions (civil/criminal) against each other in the future, in view of the settlement arrived at in the present proceedings.
- i) By the execution of this consent terms and orders of the Hon'ble Court, the Petitioner / Applicant has agreed to disposed off the said interim application.
- j) It is mutually agreed between the parties that at the execution of the present, the issue with regards to estate of the deceased stands settled in all respect and the Respondent No.1 has no claim of any nature whatsoever in the estate of the deceased Madan Chatandas Raheja.

[Signature]

[Signature]

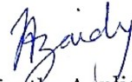
(5)

k) The Applicant and Respondent No. 1 agreed that, they are signing and executing present consent terms voluntarily and with their free will and without any undue influence, force or coercion.

WHATEVER STATED HEREINABOVE IS TRUE AND CORRECT TO THE BEST OF KNOWLEDGE AND BELIEF OF THE APPLICANT AND RESPONDENT NO. 1.

Solemnly affirmed at Mumbai.

On this 24th day of September 2025.


Advocate for the Applicant/Petitioner


Applicant/Petitioner


Respondent no.1

4. Consent Terms are executed by Applicant / Petitioner, Advocate for Applicant / Petitioner and have been identified by his Advocate.

5. Rights and obligations stated in the Consent Terms are taken as undertaking given to this Court. Parties are directed to abide by the same.

6. Subject to compliance of the said undertaking and removal of office objections, if any, the main Petition shall proceed with issuance of Grant in accordance with law within a period of four weeks from today.

7. In view of the above, Interim Application stands allowed and disposed. Testamentary Petition No.751 of 2025 also stands allowed and disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
HANUMANT
SAWANT

Digitally signed
by HARSHADA
HANUMANT
SAWANT
Date: 2025.09.24
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