

Case called out.

Heard the counsel for Petitioner and Respondent No.1.

The Petitioner, claiming to be Lr's of late Purushotham Vishnu Makhija have filed this petition for revocation of probate granted in favour of the Respondent No.1 in P & SC No.11 of 2021.

Along with the Petition, the Petitioners have also filed an application U/sec. 263(a) to (c), 276, 278 and 283 of Indian Succession act seeking for stay of the Execution and operation of the probate order dated 15.03.2023 in P & Sc No. 11 of 2021.

It is stated in the affidavit that they are the Lr's of testator and they are residing in Mumbai and they are not aware of the proceedings in P & Sc 11 of 2021. It is further stated that late Purushotham Vishnu Makhija never executed any WILL in favour of Respondent No.1 and before granting the probate they were not heard. Hence, prayed to give an opportunity before granting probate.

On the other hand the counsel for Respondent No.1 strongly opposed for stay of the impugned order.

Considering the reason stated in the affidavit and also grounds in the petition, it is necessary to stay the operation and execution of the order dated 15.03.2023 passed in P & Sc No. 11 of 2021 Hence following .

**ORDER.**

The order dated 15.03.2023 passed by the Prl District and Sessions Judge, U.K, Karwar in P & Sc No. 11 of 2021 is hereby stayed.

The office is directed to put up the record in P & Sc No. 11 of 2021

Call on 15.11.2025.

Sd/-

C/c Prl. District & Sessions Judge,  
U.K., Karwar.