

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

TESTAMENTARY SUIT NO.2 OF 2003
IN
TESTAMENTARY PETITION NO.381 OF 2002

Ashok Kumar Agarwal & anr. ... Plaintiffs

V/s.

Vijay S. Agarwal ... Defendant

Mr.S.V. Doijode a/w Ms.M. Iyer for Plaintiffs
Ms.Manisha Virkhare i/b Vigil Juris for Defendant

CORAM: S.J. KATHAWALLA, J.

DATED: JANUARY 29, 2009

P.C.:

. Parties submit that the only objection in the matter is that they do not trust each other. The learned advocate for the defendant, therefore, submits that the plaintiffs should not be allowed to administer the estate of their deceased father and that some independent person be appointed to administer the estate of the deceased immediately upon the letters of administration being issued. The Prothonotary and Senior Master shall appoint any Officer of this Court within one week from today to administer the estate of the deceased immediately upon the letters of administration being issued.

2. In view thereof, the Testamentary Suit is

allowed in the aforesaid terms. There will be no order as to costs.

3. Needless to add that this order will not prejudice the rights and contentions of the parties in any manner whatsoever.

(S.J. KATHAWALLA, J.)