

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 19 OF 2015**

IN

CAVEAT NO. 17 OF 2014

IN

TESTAMENTARY PETITION NO. 1050 OF 2014

Mrs. Ruby Josephine Aguiar ...Applicant

In the matter between

Eleuterio Joseph Agnello Aguiar & Ors. ...Petitioners

And

Mrs. Ruby Josephine Aguiar ...Caveator

Ms. Devpriya Mukharjee, i/b Gayatri J. Singh, for the Applicant.

CORAM: G.S. PATEL, J

DATED: 24th February 2015

PC:-

1. The Chamber Summons seeking a condonation of delay of 108 days in filing the Caveat is said to have been served. None appears for the Petitioner. Learned Advocate for the Applicant clarifies that the Caveat has been filed and the delay sought to be condoned is in respect of filing of the affidavit in support of that Caveat.

2. For the reasons set out in the Affidavit in Support, the delay is condoned.
3. The Caveat along with Affidavit in Support to be filed and served on or before 2nd March 2015, with no possibility of an extension, even on payment of costs. This is a final opportunity to the Applicant. If the Caveat and its supporting affidavit are not filed and served by that date, the Petition will proceed without further reference to the court as an uncontested Petition.
4. In the event that the Caveat and the supporting Affidavit are filed and served by 2nd March 2015, the Suit to be listed on 10th March 2015 for framing issues and for further directions.
5. The Chamber Summons is disposed of in these terms. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)