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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 53 OF 2015
IN
NOTICE OF MOTION NO. 155 OF 2014
IN
TESTAMENTARY SUIT NO. 56 OF 1996
IN
TESTAMENTARY PETITION NO. 79 OF 1995

Jayant V. Khandekar

...Plaintiff

Versus

Sou. Deepali D. Purohit

...Defendant

Mr. Vishal Ghosalkar, for the Plaintiff.

Mr. N.D. Jaywant, for the Applicant/Defendant.

CORAM: G.S. PATEL, J

DATED: 15th July 2015

PC:-

1. Mr. Jaywant, learned Advocate on behalf of the Defendant, very candidly and fairly admits that it was on account of his own lapse that he could not remain present on 9th February 2015 when

an order was passed dismissing the Defendant's Notice of Motion No. 155 of 2014.

2. It is now well settled that no litigant or party should suffer for the default of his or her Advocate. This needs no further discussion. Only on this ground, the present Notice of Motion must be allowed.

3. The Notice of Motion is made absolute in terms of prayer clause (a). Notice of Motion No. 155 of 2014 is immediately restored to file and, by consent, taken up for hearing forthwith.

(G. S. PATEL, J.)