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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY PETITION NO. 198 OF 2014

Shailesh Laxman Dalvi …Petitioner
Versus
Madhukar Soma Gawade …Respondent

Mr. Ashutosh Khandeparkar, *for the Petitioner.*

CORAM: G.S. PATEL, J
DATED: 5th July 2016

PC:-

1. Pursuant to the order dated 24th June 2016, the Registry has made a report to the effect that after scrutinizing the record and searching the CMIS database there is no entry of any Caveat having been filed. The department has received a praecipe dated 24th June 2016, i.e., of the date of my last order, enclosing an unnumbered and unsigned Caveat. However, this Caveat is under Section 148-A of the Code of Civil Procedure, 1908. It is not in the format required for testamentary proceedings, viz., under Rule 401 of the High Court (OS) Rules. Further, that unnumbered and unsigned Caveat seems to be of the year 2012. There is no record of it having been ever filed in the Registry.

2. In any case, it is not in conformity with Rule 401 of the High Court (Original Side) Rules. Therefore, there is no valid Caveat filed in the proceedings. The Petition is to continue as an uncontested Petition for the grant of probate.

3. Time for removal of office objections is extended till 29th July 2016.

(G. S. PATEL, J.)