

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

CHAMBER SUMMONS NO. 38 OF 2016

IN

CHAMBER SUMMONS (L) NO. 48 OF 2016

IN

TESTAMENTARY PETITION NO. 955 OF 2015

Deepika Deepak Gupta ...Applicant

In the matter between

Rahul Premraj Tupta & Anr. ...Petitioners

Versus

Deepika Deepak Gupta ...Caveatrix

WITH

CHAMBER SUMMONS NO. 39 OF 2016

IN

CHAMBER SUMMONS (L) NO. 49 OF 2016

IN

TESTAMENTARY PETITION NO. 955 OF 2015

Pawan Deepak Gupta ...Applicant

In the matter between

Rahul Premraj Tupta & Anr. ...Petitioners

Versus

Pawan Deepak Gupta ...Caveator

Mr. Sharan Jagtiani, *a/w Mr. Suraj Iyer, i/b M/s. Ganesh & Co., for
the Applicants.*

**Mr. Ankoosh Mehta, a/w Vividh Tandon, Mr. Neerav Merchant, i/b
M/s. Cyril Amarchand Mangaldas, for the Petitioners.**

**CORAM: G.S. PATEL, J
DATED: 12th April 2016**

PC:-

1. For the reasons set out in the Affidavits in Support, the Chamber Summonses are made absolute in terms of prayer clause (a) of each. The delay in filing the Caveat by the two Applicants is condoned. Caveats along with their accompanying Affidavits in Support to be filed and served no later than 29th April 2016 with no possibility of an extension. In default, both Caveats will stand dismissed without reference to the Court and will not be restored thereafter.

2. In addition, Mr. Mehta for the Petitioners says that the Petitioners have had some difficulty in serving another heir, Mr. Puneet Deepak Gupta, whose correct address is not fully known. Mr. Jagtiani for the Applicants states on instructions that his attorneys will accept service on behalf of Mr. Puneet Deepak Gupta. Since they already have a copy of the Petition, they waive service on a fresh copy of the Petition. Mr. Puneet Deepak Gupta will also have time till 29th April 2016 to serve his Caveat and Affidavit in Support thereof. Upon these Caveats and Affidavits being filed, the Petition is to be renumbered as a Suit. A copy of the complete Petition with all annexures is to be supplied to the Advocates for the Caveators on or before 22nd April 2016.

3. This suit will be listed on 4th May 2016 for framing issues along with the Testamentary Suit No. 5 of 2016.
4. Liberty to the parties to apply if necessary.

(G. S. PATEL, J.)