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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.35 OF 2013**

Nilesh Pyarelal Gupta	...Petitioner
<i>And</i>	
Pyarelal Shivram Gupta	...Respondents

Mr. Anand A. Pande, *for the Petitioner.*
None *for the Respondents.*

CORAM: G.S. PATEL, J
DATED: 20th June 2016

PC:-

1. This is an Heirship Petition of 2013. It was accepted on 18th March 2013 and a proclamation was directed to be issued and made returnable after six weeks. It was called again on 24th September 2013, when Mr. Justice R.D. Dhanuka further extended the returnable date of proclamation till 19th November 2013. The Petitioner was directed to take steps to issue the proclamation. The Petitioner did nothing. On 24th March 2014, the Petitioner and his Advocate were both absent although the matter was called twice before Mr. Justice R.D. Dhanuka.

2. Then the matter reached again on 15th April 2014. Yet again an application was made to extend the returnable date. The Court

extended the returnable date for proclamation by a further eight weeks but made it clear that no further extension will be granted.

3. Over two years later, the matter has reached again. Yet again, and despite all the previous orders, the same application for yet another extension is made. This time, faced with my refusal to grant any such indulgence the request is reduced to one week. I do not see how a proclamation can possibly be issued within one week.

4. The Petitioner is evidently not serious. Either that or his Advocate is not serious. In either case, the result is the same. I refuse to keep Petitions like this pending and indulging the Advocates and their clients endlessly in this fashion.

5. The Petition is dismissed.

(G. S. PATEL, J.)