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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 124 OF 2016
IN
TESTAMENTARY PETITION NO. 566 OF 2013**

Prakash Dinker Datey	...Petitioner
<i>Versus</i>	
Kastur Patil D/o. Late Gajanan Patil	...Respondent

Ms. Gargi Bhagwal, i/b PS Legal, for the Petitioner.

**CORAM: G.S. PATEL, J
DATED: 4th July 2016**

PC:-

1. The Petition was dismissed for default. This is a Notice of Motion for its restoration.

2. For the reasons set out in the Affidavit in Support of the Notice of Motion, except paragraph 6, the Notice of Motion is made absolute in terms of prayer clause (a). The Petition is restored to file. All office objections to be removed on or before 25th July 2016. There will be no further extensions. In default, the Petition will stand dismissed without further reference to the Court and will not be restored thereafter under any circumstances.

3. On behalf of the Applicant, it is pointed out in complete fairness that there is an error in paragraph 6 of the Affidavit in Support. Since this information has been volunteered, leave to amend to delete that paragraph, without need of reverification. Amendment to be carried out forthwith in Court.

4. The Notice of Motion is disposed of in these terms with no order as to costs.

(G. S. PATEL, J.)