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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 100 OF 2016
IN
NOTICE OF MOTION NO. 11 OF 2016
IN
TESTAMENTARY SUIT NO. 71 OF 1993
IN
TESTAMENTARY PETITION NO. 572 OF 1993**

Sadanand Dattatraya Nadkarni	...Applicant
<i>In the matter between</i>	
Sadanand Dattatraya Nadkarni	...Plaintiff
<i>Versus</i>	
Manohar Shantaram Kasbekar	...Defendant

Ms. Zenobia Irani, *for the Applicant/Plaintiff.*
Mr. K. S. Dubey, *i/b V. K. Damle, for the Defendant.*
Ms. Tejashree S. Gawde, *Zohair & Col, for Defendants Nos. 2(a) & 3.*

CORAM: G.S. PATEL, J
DATED: 10th August 2016

PC:-

1. This is the Plaintiff's Chamber Summons to condone a delay of 26 days, to set aside the abatement of the Suit and to allow the Chamber Summons to amend the Notice of Motion No. 11 of 2016.

The amendment is to the title of the Notice of Motion to add Defendant No. 1A.

2. The question of abatement will have to be decided in the Notice of Motion since that Notice of Motion is one to recall an order of dismissal of the Suit.

3. For the present, the Chamber Summons is allowed in terms of prayer clauses (a) and (c). Notice of Motion No. 11 of 2016 is to be amended forthwith in Court without need of re-verification.

(G. S. PATEL, J.)