

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 111 OF 2016**

IN

CAVEAT (ST) NO. 77 OF 2016

IN

TESTAMENTARY PETITION NO. 2028 OF 2015

Kalpesh Yogesh Upadhyay	...Petitioner
<i>And</i>	
Mrs. Chitra w/o Mr. Anil Upadhyay	...Caveatrix

Ms. Ranjana Parab, i/b Law Judicia, for the Petitioner.
Mr. R. R. Mishra, i/b M/s. M. Rajkumar & Co., for the
Applicant/Caveatrix.

CORAM: G.S. PATEL, J
DATED: 26th September 2016

PC:-

1. Heard. The Chamber Summons is served. The Chamber Summons is to condone the delay of 38 days in filing the Affidavit in Support. There is an Affidavit in Reply.
2. For the reasons set out in the Affidavit in Support, the Chamber Summons is made absolute in terms of prayer clause (a). The Affidavit in Support is already lodged with the Registry.

3. As the supporting Affidavit is already filed, the Petition to be renumbered as a suit and the suit to be listed on 21st October 2016 for framing issues and for further directions.
4. The Chamber Summons is disposed in these terms. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)