

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 113 OF 2016**

IN

CAVEAT NO. 240 OF 2016

IN

TESTAMENTARY PETITION NO. 395 OF 2016

Herkishin Kishore Shankerdas Mahaboobani	...Petitioner
<i>And</i>	
Amar Shankardas Mahaboobani	...Caveator

Mr. Amey Devasthale, *i/b Hariani & Co., for the Petitioner*
Mr. Yahya Goghari, *a/w Smita Sawant, i/b Dave & Co., for the*
Applicant/Caveator.

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

PC:-

1. For the reasons set out in the Affidavit in Support, the Chamber Summons is made absolute in terms of prayer clauses (a) and (b). Delay in filing the Affidavit in Support is condoned.
2. A Caveat has already been filed. The Affidavit in Support is to be filed and served on or before 30th September 2016 with no possibility of an extension, even on payment of costs. This is a final

opportunity to the Applicant. If the supporting affidavit is not filed and served by that date, the Caveat will stand discharged without further reference to the court.

3. In the event that the supporting Affidavit is filed and served by 30th September 2016, 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.)