

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 111 OF 2015
IN
TESTAMENTARY PETITION NO. 418 OF 2009**

Ashwin Bhupatrai Mavani	...Applicant
<i>In the matter between</i>	
Ashwin Bhupatrai Mavani	...Petitioner
<i>And</i>	
Ranjan Bhupatrai Mavani	...Respondent

Mr. C. N. Mehta, *i/b M.M.K. Law Associates, for the Petitioner.*
An Advocate, *for the Respondent.*

CORAM: G.S. PATEL, J
DATED: 21st March 2016

PC:-

1. Heard. The Petition seeks that an order of 8th March 2011 dismissing the Petition for non-removal of office objection to be set aside.
2. For the reasons set out in the Affidavit in Support, the Notice of Motion is made absolute in terms of prayer clause (a) subject to the following:

- (a) The official translation of the original Will in Gujarati shall be obtained by the Registry at the cost of the Petitioner and at the earliest, and for that purpose, the Registry will send an authenticated copy of the Will to the office of the Official Translator and Interpreter.
- (b) As regards objection No. 15 for service of citation, the Petitioners undertake to remove this objection or satisfactorily address or deal with it within a period of twelve weeks from today. This extended time is given to the Petitioners since citations are required to be served outside India. It is clarified that if this objection is not satisfactorily addressed within that time and no extension is obtained for this purpose, the Petition will stand dismissed without further reference to the Court and, thereafter, will not be restored for any reason.

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

(G. S. PATEL, J.)