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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 130 OF 2016**

IN

CAVEAT (L) NO. 310 OF 2016

IN

TESTAMENTARY PETITION NO. 606 OF 2016

Shriraj D. Dhruv & Another

...Petitioners

Versus

Manali Yogesh Wadhwana

...Caveator

Mr. Vishal Kanade, *with Ms. Nikita Bhansali, i/vb Wadia Ghandy & Co., for the Petitioners.*

Mr. Nimay Dave, *with Mr. Dharmesh Pandya, i/b Ashwin Pandya & Associates, for the Caveator.*

CORAM: G.S. PATEL, J

DATED: 19th December 2016

PC:-

1. This is an application for condonation of delay of 73 days in filing the Caveat. The Caveat has been lodged. The reason given in the Affidavit in Support is that the Caveatrix was travelling since her daughter was graduating from an educational course overseas. It seems that thereafter the Applicant was advised to file a Notice of Motion for condonation of delay only to be later told that it should been in the form of a Chamber Summons.

2. The delay is condoned. The Chamber Summons is made absolute in terms of prayer clause (a).

3. Caveat is to be taken on record. The Affidavit in Support of the Caveat is to be filed and served on or before 13th January 2017, if not already filed and served.

4. The Testamentary Petition is to be renumbered as a Suit and to be listed for framing issues on 24th January 2017.

(G. S. PATEL, J.)