

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 49 OF 2007
IN
TESTAMENTARY PETITION NO. 222 OF 1998
WITH
NOTICE OF MOTION (L) NO. 138 OF 2015**

Joe Savio D'Souza & Daisy Savio D'Souza	...Petitioners
<i>Versus</i>	
Ivy P. Sarrao	...Respondent

None for the Petitioners.

Mrs. A.S. Malvankar, for the Respondent.

CORAM: G.S. PATEL, J

DATED: 18th July 2016

PC:-

1. None for the Applicants/Petitioners.

2. On 26th October 2015, I granted the Applicant one last indulgence to put forth the entirety of his case. He was allowed to file a further supplemental Affidavit. That was to be done on or before 17th November 2015. Mrs. Malvankar for the Respondent points out that no such Affidavit has ever been filed.

3. The Miscellaneous Petition is dismissed for want of prosecution.

4. Accordingly, the Notice of Motion does not survive and is disposed of.

5. Neither the Notice of Motion nor the Miscellaneous Petition will be restored hereafter.

(G. S. PATEL, J.)