

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION**

**CHAMBER SUMMONS NO.30 OF 2017
IN
CAVEAT (L) NO.451 OF 2016
IN
TESTAMENTARY PETITION NO.213 OF 2016**

Smt.Mamatha Pravinkumar Shetty & Anr.Applicant

IN THE MATTER BETWEEN :

Udaykumar Dayanand ShettyPetitioner

V/s.

Smt.Mamatha Pravinkumar Shetty & Anr.Caveators

Mr.S.G.Bhandary i/by Bhandary & Bhandary for the
petitioner/applicant.

Mr.Jagdish Kumar Sanjeev Hegde for the applicant/caveator.

CORAM : K.R.SHRIRAM,J

DATE : 29.3.2017

P.C.:-

1 This chamber summons is to condone the delay of 176 days in filing the affidavit in support of the caveat. Indisputably, the caveat was filed within time.

2 I have considered the affidavit in support and also affidavit in reply filed by the petitioner. Also heard counsel appearing for the applicant and the petitioner. The petitioner is the executor and the son-in-law of the deceased. The caveators are the widowed, daughter-in-law and grand son of the deceased. The husband of the

caveator no.1 predeceased the deceased.

3 Considering the facts and circumstances of the case, I am inclined to condone the delay. Delay condoned. Accordingly, Chamber summons dispsoed.

Registry to accept the affidavit in support of the caveat. Mr.Bhandary appearing for the petitioner confirms having received the copy of the affidavit. Registry to take steps in accordance with Rule-402 of the High Court (O.S) Rules.

Stand over to 25.4.2017 for issues.

(K.R.SHRIRAM,J)