

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

**CHAMBER SUMMONS NO. 36 OF 2017
IN
CAVEAT NO. 88 OF 2015
IN
TESTAMENTARY PETITION NO. 1774 OF 2013**

Kamal Manilal Doshi .. Applicant/Org.Caveator No.2

In the matter between :

Darshana Manilal Doshi .. Plaintiff
Vs.
Jayant Manilal Doshi & Ors. .. Defendants

Ms.S.I.Joshi i/b A.R.Bapat for plaintiff.

Ms.Astrid Pereira i/b Lex Firmus for applicant/caveator no.2

**CORAM : K.R.SHRIRAM, J.
DATE : 3RD MAY, 2017**

P.C.

1 This chamber summons is to set aside an order dated 16th February 2015 dismissing the caveat and for restoring the caveat. The caveat was dismissed by an order dated 16th February 2015 for non-removal of office objections. It is to be noted that the present application has been taken out only on 15th February 2017, i.e., two years after the caveat came to be dismissed. Since it is a family dispute and there are many other litigations pending between the same parties, for the explanation given in the affidavit in support, I am inclined, purely by way of indulgence, give one opportunity

to the applicant to remove office objections. Accordingly order dated 16th February 2017 is set aside and the caveat is restored to file. Chamber Summons stands disposed.

2 As and by way of last chance, the applicant to remove all office objections on or before 22nd May 2017, failing which, the caveat will stand dismissed without further reference to the Court. The excuse that the applicant was travelling or not in India etc. will be entertained or accepted, and there is no chance also for the applicant to get an extension of the time limit prescribed.

3 The applicant to pay a sum of Rs.25,000/- as costs by way of cheque drawn in favour of the Advocate on record for the petitioner. This amount to be paid within two weeks from today.

(K.R. SHRIRAM, J.)