

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

**NOTICE OF MOTION NO. 102 OF 2017
IN
TESTAMENTARY PETITION NO. 06 OF 2011**

Himanshu Rajendra Patil] Applicant

IN THE MATTER BETWEEN:

Geeta W/d of Ramesh Patil] Deceased

Himanshu S/o Rajendra Patil] Petitioner

.....
Mr. Ramkrishna Rao i/b K.P. Tiwari & Co., applicant.

.....
CORAM : R.G. KETKAR, J.

DATE : 15TH SEPTEMBER, 2017.

P.C.:

Heard Mr. Rao, learned Counsel for the applicant.

2. By this Motion, applicant has prayed for recalling the order dated 5th July, 2012 passed in Testamentary Petition No.06 of 2011 after condoning delay of 1686 in taking out the Motion.

3. Mr. Rao submitted that Petition was submitted for not removing office objections within 4 weeks from 5th July, 2012. He states that all the office objections are removed.

4. In view thereof and for the reasons set out in the

affidavit in support of Motion, Motion is allowed in terms of prayer clauses (a) and (b). Order dated 5th July, 2012 passed in Petition No. 06 of 2011 is recalled. Delay of 1686 days is condoned. Petition is restored to its original position.

[R.G. KETKAR, J.]