

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

NOTICE OF MOTION NO. 75 OF 2017

IN

TESTAMENTARY PETITION NO. 1443 OF 2014

Shri Shivshankar Ramprasad Yadav] Applicant

In the matter between:

Mr. Devkinandan Sukkhu Yadav [Ahir]] Deceased

Shri Shivshankar Ramprasad Yadav] Petitioner

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Mr. Jayesh S. Kalanke, for applicant.

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CORAM : R.G. KETKAR, J.

DATE : 16th AUGUST, 2017.

P.C.

Heard Mr. Kalanke, learned Counsel for the applicant/petitioner.

2. By this Motion, applicant/petitioner prays for recalling the order dated 2nd May, 2016 passed by this Court [Coram: G.S. Patel, J.] under Rule-435 of the High Court [Original Side] Rules, thereby, restoring Testamentary Petition No. 1443 of 2014.

3. Mr. Kalanke invited my attention to the office objection raised by the Registry and assured that after restoration of the Petition, he will remove office objections within 8 weeks from

today and will not seek further extension of time.

4. In view thereof and for the reasons set out in the affidavit in support of Motion, Motion is made absolute in terms of prayer clause (a) with no order as to costs. Testamentary Petition No. 1443 of 2014 is restored to its original position. Applicant/petitioner shall remove office objections within 8 weeks from today, failing which order dated 2nd May, 2016 shall stand revived without further reference to the Court. Order accordingly.

[R.G. KETKAR, J.]