

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO.71 OF 2017
IN
PETITION NO.2075 OF 2015

Bharat Keshavlal Shah and Keshavlal N. Shah ... Deceased

Malay Bharat Shah ... Applicant/Petitioner

Mr. Salim M. Sayed for Applicant.

CORAM : R. G. KETKAR, J.
DATE : SEPTEMBER 13, 2017

P.C. :

Heard Mr. Sayed, learned Counsel for the applicant.

2. By this Motion, petitioner has prayed for recalling the order dated 09.01.2017 passed in Petition No.2075 of 2015. Mr. Sayed submitted that applicant has removed all the office objections and as the Petition was dismissed, he could not file affidavit to the effect that notice was served through affixation on the High Court Notice Board. He assures that within two weeks from today, he will file affidavit to that effect.

3. In view thereof and for the reasons set out in the affidavit in support of the Motion, Motion is made absolute in terms of prayer clause (a) with no order as to costs. Petition No.2075 of 2015 is restored to its original position. Petitioner shall file affidavit as regards service by affixation within two weeks from today. Order accordingly.

(R. G. KETKAR, J.)

Minal Parab