

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***T. & I. J.*****CHAMBER SUMMONS NO. 63 OF 2017****IN****TESTAMENTARY PETITION NO. 2293 OF 2016****Omesh Kumar Lalla****..... Applicant/
Caveator****Jayesh Kumar Lalla****..... Petitioner****AND****Omesh Kumar Lalla****..... Caveator**

Ms.Amruta Jamdar, i/b. Mr.J.B.Laalgwani for the Caveator.

No records and proceedings.

CORAM : R.D. DHANUKA, J.**DATE : 28th JUNE, 2017****P.C.**

Learned counsel appearing for the applicant states that the petitioner has been served. Learned counsel tenders affidavit of service dated 21st June, 2017. None appeared for the petitioner.

2. By this chamber summons, the applicant seeks condonation of delay of 3 days in filing caveat along with the affidavit in support of the caveat. I have heard learned counsel appearing for the applicant and I have perused the affidavit in support of the chamber summons. The applicant has sufficiently explained the delay of three days in filing caveat along with the affidavit in support of the caveat. Chamber summons is accordingly made absolute in terms of prayer clause (a). No order as to costs.

3. Learned Prothonotary and Senior Master is directed to accept the caveat and affidavit in support of the caveat on record and convert the testamentary petition into a suit if all other formalities are complied with by the applicant. No order as to costs.

(R.D.DHANUKA, J.)