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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL No. 161 of 2017
IN
Testamentary Suit No. 24 of 1989.

Gul Bhuromal Balani since
deceased through his heirs
Ratna Gul Balani and ors ..Appellants.
Vs
Bhagwan Bhuromal Balani ..Respondent.

Mr. Govilkar i/by Govilkar & Assoc. for the appellant.
Mr. Bhagwan B. Balani Respondent in-person.

CORAM : V.M. KANADE & C.V.BHADANG,JJ.
DATED : 26th APRIL, 2017.

P.C.

- 1) Heard Shri Govilkar, learned counsel appearing on behalf of the appellant.
- 2) The appellant is aggrieved by an order dated 20th March, 2017 passed in Testamentary Petition No. 348 of 1988. By the said order, the learned Single Judge was pleased to fix the matter for argument on 27th April, 2017. The appellant was given two weeks time as a last chance to file affidavit in lieu of evidence. The suit was filed in the year

1988. The learned Single Judge has observed that more than 29 years have passed and despite the time being given to the appellant, affidavit in lieu of evidence is not filed. There is no reason to interfere with the order passed by the learned Single Judge. The appeal is therefore dismissed.

(C.V. BHADANG,J)

(V.M. KANADE,J)