

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***T. & I. J.*****JUDGE'S ORDER NO. 44 OF 2017****IN****TESTAMENTARY PETITION NO. 362 OF 2015****Mrs.Premalata Manilal Dani****..... Deceased****Narendra Manilal Dani****..... Petitioner****Mr.M. Jaiswal, i/b. MLS Vani & Associates for the Petitioner.****CORAM : R.D. DHANUKA, J.****DATE : 30th JUNE, 2017****P.C.**

By this Judges Order, the petitioner seeks permission to file affidavit of son of the deceased in lieu of affidavit of the attesting witnesses. It is the case of the petitioner that both the attesting witnesses have expired on 29th March, 2000 and 12th April, 2017 respectively. No other person was present at the time of execution of the Will dated 11th August, 1989.

2. Learned counsel appearing for the petitioner states that the son of the deceased is conversant with the signature of the deceased and thus be permitted to file affidavit in lieu of affidavit of the attesting witnesses.

3. The statements made by the petitioner in the Judges Order are accepted. I have accordingly signed the Judge's Order. Time to remove office objections is extended by four weeks from today. It is made clear that no further extension would be granted.

(R.D.DHANUKA, J.)