

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***T. & I. J.*****NOTICE OF MOTION NO. 161 OF 2017****IN****PETITION NO. 1128 OF 2012****Lalitkumar Raghunath Prasad Kankani****alias Lalit Raghunath Prasad Kankani****..... Deceased****Rachna Lalitkumar Kankani****....Petitioner****Mr.Yashpal Jain for the Petitioner.****CORAM : R.D. DHANUKA, J.****DATE : 25th JULY, 2017****P.C.**

By this notice of motion, the applicant seeks condonation of delay of 862 days in filing notice of motion and seeks recall of the order dated 22nd December, 2014 insofar as Testamentary Petition No.1128 of 2012 is concerned. I have heard learned counsel appearing for the applicant and I have perused the averments made in the affidavit in support of the notice of motion. For the reasons recorded in the affidavit in support of the notice of motion, notice of motion is made absolute in terms of prayer clauses (a) and (b) insofar as Testamentary Petition No.1128 of 2012 is concerned on the condition that the applicant removes the remaining office objections if any, within four weeks from today. It is made clear that if the office objections are not removed within four weeks from today, Testamentary Petition No.1128 of 2012 to stand dismissed without further reference to court. Notice of motion is disposed of in the aforesaid terms. No order as to costs.

(R.D.DHANUKA, J.)