

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

**NOTICE OF MOTION (L)NO.349 OF 2017
IN
MISCELLANEOUS PETITION (L) NO.2169 OF 2015**

Nirmaladevi Rajmani Chaudhary ... Deceased

Ashadevi Rajmani Chaudhary ... Applicant

In the matter between :

Ashadevi Rajmani Chaudhary ... Petitioner

.....

Mr. Sanjay Gawde for the Applicant/Petitioner.

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CORAM : S.C.GUPTE, J.

DATE : 14 NOVEMBER 2017

P.C. :

. The present Notice of Motion seeks recall of an order of rejection passed by the Prothonotary & Senior Master. The order is self operative and requires compliance of office objections by a particular date and provides for rejection of the petition in default, for non-compliance under Rule 986 of the High Court Original Side Rules. There is a delay in taking out the present application. The delay is, however, explained in the affidavit in support of the Notice of Motion. For the reasons stated, the delay is condoned and the Notice of Motion is allowed in terms of prayer clause-(b) by recalling and setting aside the order of rejection dated 21 December 2016. The Petitioner shall now remove all office objections within a period of three weeks from today, failing which, the petition shall

stand rejected without further reference to this Court. The Notice of Motion is disposed of accordingly.

(S.C. GUPTE, J.)