

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

***NOTICE OF MOTION NO.6 OF 2015
in
TESTAMENTARY PETITION NO.1064 OF 2011***

Jitendra Loknath Sawhney & Anr. .. Applicants

In the matter between

Jitendra Loknath Sawhney & Ors. .. Petitioners

Mr.Kalpesh Joshi for the applicants/petitioners.

CORAM : R.D. DHANUKA, J.

DATE : 3rd July 2017

P.C. :

. By this notice of motion, the applicants seek condonation of delay in filing the present notice of motion and seek recall of the order 28th August 2013 passed by this Court in so far as Testamentary Petition No.1064 of 2011 is concerned.

2. Learned counsel for the applicants states that for various reasons recorded in the affidavit-in-support of the notice of motion and more particularly paragraphs 3 to 7 thereof, office objections could not be removed within the time prescribed. He undertakes to remove all office objections within four weeks from today. Undertaking is accepted.

3. For the reasons recorded in the affidavit-in-support of the notice of motion and in view of the undertaking rendered by the learned counsel for the applicants, notice of motion is made absolute in terms of prayer clauses (a) and (b) on the condition that the applicants remove

all the office objections within four weeks from today. It is made clear that no extension would be granted.

4. If all the office objections are not removed within four weeks from today, the order passed by this Court today in terms of prayer clauses (a) and (b) to stand vacated without further reference to the Court and the Testamentary Petition No.1064 of 2011 to stand dismissed without further reference to the Court.

R.D. DHANUKA, J.