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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION

NOTICE OF MOTION NO.20 OF 2017
IN
TESTAMENTARY PETITION (LODGING) NO.1501 OF 2016

Mr.Chhaganlal Pardesi @ Chhanga L. Chhedhi ...Deceased

Mr.Tarachand C. Kanojiya ...Petitioner

Mr.Prabhu Vellan i/b Mr.Hajra Shaikh for the Applicant / Petitioner.

CORAM : R.D. DHANUKA, J.
DATE : 18TH JULY, 2017.

P.C. :-

1. By this notice of motion, the applicant / petitioner seeks condonation of delay of 84 days in filing the notice of motion and seeks recall of the order dated 27th September, 2016 passed by the learned Prothonotary & Senior Master of this Court, dismissing Testamentary Petition (Lodging) No.1501 of 2016 for non-removal of office objections. Learned counsel for the petitioner states that all the office objections are already removed except payment of Court fees. He undertakes to remove this objection within two weeks from today.

2. For the reasons recorded in the affidavit in support of the notice of motion and in view of the undertaking given by the learned

counsel for the applicant / petitioner, the notice of motion is made absolute in terms of prayer clauses (a) and (b) on the condition that the applicant removes all the office objections within two weeks from today. It is made clear that no further extension would be granted.

3. If all the office objections are not removed within the time prescribed, the Testamentary Petition (Lodging) No.1501 of 2016 shall stand dismissed without further reference to the Court.

(R.D. DHANUKA, J.)