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

CHAMBER SUMMONS NO.159 OF 2017
IN
CAVEAT NO.345 OF 2016
IN
TESTAMENTARY PETITION NO.685 OF 2016

Mrs.Sushma G. Gurav ...Applicant

IN THE MATTER BETWEEN :

Ganpat B.Gurav ...Deceased

Jagdish G. Gurav & Anr. ...Petitioners

Mrs.Sushma G. Gurav ...Caveator

Mr.Dhananjay B.Deshmukh I/b Mr.Dushyant Krishnan for the Applicant.

Mr.Siddharth Desai for the Original Petitioners.

CORAM : R.D. DHANUKA, J.
DATE : 12TH DECEMBER, 2018.

P.C. :-

1. By this chamber summons, the applicant seek condonation of delay of 142 days in filing the affidavit in support of caveat and seeks permission to file affidavit in support of the caveat. The chamber summons is vehemently opposed by the original petitioners on the ground that the delay is not sufficiently explained. However, no affidavit in reply has been filed by the original

petitioners.

2. By an order dated 26th November, 2018 passed in Chamber Summons No.14 of 2018, this Court has considered the similar facts between the parties and have condoned the delay of 142 days in filing the affidavit in support of the caveat. For the reasons recorded by this Court in the order dated 26th November, 2018, the delay of 142 days in filing the affidavit in support of the caveat is condoned in this order also.

3. Learned Prothonotary & Senior Master is directed to accept the affidavit in support of the caveat if filed by the applicant within one week from today. A copy of the affidavit in support of the caveat shall be served upon the petitioners' advocate simultaneously.

4. The chamber summons is disposed of in aforesaid terms. There shall be no order as to costs.

(R.D. DHANUKA, J.)