

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 78 OF 2018
IN
PETITION NO. 1221 OF 2013

Dr.Jaiprakash Shantaram Chavan **Deceased**

Dr.Shilpa Bansal Chavan **Applicant/
Petitioner**

Mr.Amey Kulkarni, a/w. Mr.Shaunak Gokhale, i/b. Chitnis Vaithy & Co. for the Petitioner.

CORAM : R.D. DHANUKA, J.

DATE : 5th DECEMBER, 2018

P.C.

By this notice of motion, the applicant seeks recall of the order dated 5th May, 2015 insofar as Testamentary Petition No.1221 of 2013 is concerned. It is submitted that the office objections could not have been removed due to some unavoidable circumstances set-out in the affidavit in support of the notice of motion. Learned counsel undertakes to remove all office objections within four weeks from today. Undertaking is accepted.

2. The applicant has made out a case for recall of the order dated 5th May,2015 insofar as Testamentary Petition No.1221 of 2013 is concerned, however on the condition that the applicant removes all office objections within four weeks from today.

3. It is made clear that if all the office objections are not removed

within four weeks from today, Testamentary Petition No.1221 of 2013 to stand dismissed without further reference to court.

4. It is made clear that no further extension of time would be granted.

5. Notice of motion is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]