

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**TESTAMENTARY AND INTESTATE JURISDICTION**

**NOTICE OF MOTION NO. 140 OF 2018**

**IN**

**TESTAMENTARY PETITION NO. 593 OF 2012**

Satnam Singh Rathod & Anr

...Petitioners

*And*

Balwant Singh S Khalsa Alias Balwant Singh  
Khalsa Rathod

...Deceased

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*None for the Petitioners/Applicants.*

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**CORAM: G.S. PATEL, J**

**DATED: 24th July 2018**

**PC:-**

1. The Notice of Motion is for restoration of the Testamentary Petition, which is of the year 2012. Objections were not removed and a conditional order was passed on 22nd December 2014. On non-compliance, this Testamentary Petition stood dismissed. There is a delay of 1160 days. That is also sought to be condoned.
2. Now all this is in theory possible, but for the fact that nobody appears for the Petitioner today either.
3. The Notice of Motion for restoration is itself dismissed.

4. I expect that sooner or later there will be another Motion for restoration of this Notice of Motion seeking restoration of the Testamentary Petition. We will cross that bridge when we come to it.

**(G. S. PATEL, J)**