

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
NOTICE OF MOTION NO. 226 OF 2018
IN
PETITION NO. 1474 OF 2012

Narendranath Sharma **Deceased**

Nirmala Narendranath Sharma **Petitioner**

Mr.A.K.Sharma, i/b. Gandhi & Associates 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 conditional order dated 24th July, 2017 on the ground that the applicant could not remove office objections within the time prescribed due to unavoidable circumstances set-out in the affidavit in support of notice of motion. The applicant is 82 years old and is suffering from various diseases. Learned counsel undertakes to remove all office objections within two weeks from today. Undertaking is accepted. The applicant has made out a case for restoration of the case of Testamentary Petition No.1474 of 2012 however on the condition that the applicant shall remove all office objections within a period two weeks from today. It is made clear that if the office objections are not removed within the time prescribed, Testamentary Petition No.1474 of 2012 to stand dismissed without further reference to court. No order as to costs.

[R.D. DHANUKA, J.]