

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

**CHAMBER SUMMONS NO.19 OF 2018
IN
CAVET LODGING NO. 284 OF 2017
IN
TESTAMENTARY PETITION NO.1718 OF 2016**

Pavitrans Appukutty Kannothe : Applicant.

In the matter between

**Mrs. Ramavathi Kamalalshan : Petitioner
versus**

Pavitrans Appukutty Kannothe : Caveator

**Mr. A P Khanduri i/by AARKey Legal for the applicant/caveator
Mr. Sachin Borhade for the Petitioner.**

**CORAM : R. D. DHANUKA
DATE : 28th January 2019**

P.C.

1 By this chamber summons, the applicant (original caveator) seeks condonation of delay of 2 days in filing the affidavit in support of the caveat.

2 Heard learned counsel appearing for the parties and perused the averments made in the affidavit in support of the chamber summons.

3 For the reasons recorded in the affidavit in support of the chamber summons, in my view, delay of 2 days in filing the caveat and affidavit in support is sufficient explained and is accordingly condoned. Chamber summons is accordingly made absolute in terms of prayer clause (a). Office is

directed to accept the affidavit in support of the caveat and convert the Petition in testamentary suit. The chamber summons is allowed in the aforesaid terms. No order as to cost. Parties are directed to exchange the draft issues within four weeks from today. Office is directed to place the matter on board for framing issues after eight weeks.

[R. D. DHANUKA, J]