

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 3050 OF 2021
IN
APPEAL (L) NO. 442 OF 2019
IN
MISCELLANEOUS PETITION NO. 18 OF 2018

Nandkumar Narsingrao Pupala	...Applicant
<i>In the matter between</i>	
Nandkumar Narsingrao Pupala	...Appellant
<i>Versus</i>	
Pratapsingrao Pupala & Anr	...Respondents

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Mr YU Divekar, with Kalyani Bane, i/b M/s. Divekar & Co, for the
Applicant/Appellant.
Mr SK Dhekale, Court Receiver, present.

CORAM G.S. Patel &
Gauri Godse, JJ.
DATED: 25th August 2022

PC:-

1. The Appeal was dismissed for non-removal of the office objections by a conditional order dated 15th November 2019 passed by the Prothonotary & Senior Master (Exhibit "A" at page 9 of the Interim Application).

2. For the reasons set out in the Interim Application, we restore the Appeal.
3. The original Miscellaneous Petition sought revocation of Letters of Administration granted *de bonis non* on 17th September 2009 with a probated Will annexed. The Appellants were never served with the original Testamentary Petition No. 445 of 2008. It is, therefore, not reasonable to expect the Petitioners to annexe a certified copy of the grant of Letters of Administration. We dispense with this.
4. An ordinary copy will be produced and place in the case papers by the Registry.
5. The Interim Application is disposed of in these terms.
6. List the Appeal on 20th September 2022.

(Gauri Godse, J)

(G. S. Patel, J)