

Ajay

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

**INTERIM APPLICATION NO. 2564 OF 2023
IN
TESTAMENTARY PETITION NO. 330 OF 2018**

Aziz Ahmed Kadar Khan alias
Aziz Ahmed Kader Khan .. Applicant

IN THE MATTER BETWEEN:

Kadar Khan Mohammad Khan alias
Kadar Khan Mohammad Khan .. Deceased

Aziz Ahmed Kadar Khan alias
Aziz Ahmed Kader Khan .. Petitioner

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- Mr. Tejas Mahamuni i/by Mr. Shamkant Mahamuni, Advocate for Applicant / Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 08, 2023.

P.C.:

- 1.** Not on Board. Mentioned. Taken on Board.
- 2.** Heard Mr. Mahamuni, learned Advocate for Applicant / Petitioner.
- 3.** Perused the praecipe dated 08.08.2023.
- 4.** The present Interim Application has been filed by the Applicant / Petitioner for restoration of Testamentary Petition seeking of Letters of Administration which came to be dismissed by order dated 25.04.2022 for non-prosecution.

5. For the reasons mentioned in the Interim Application, Interim Application stands allowed and Testamentary Petition stands restored to the file and record of the Court. Delay of 184 days in filing the present Interim Application stands condoned.

6. Applicant / Petitioner is directed to take immediate action in terms of Letters of Administration in the Testamentary Petition and remove the objections, if any, within 4 weeks from today.

7. With the above direction, Interim Application is disposed.

[MILIND N. JADHAV, J.]

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Date: 2023.08.08
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