

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

**INTERIM APPLICATION NO.1783 OF 2024  
IN  
TESTAMENTARY PETITION NO. 634 OF 2021**

Anupama Madhukar Deshpande                      ...Applicant  
Vs  
Madhukar Vithal Deshpande                      ...Deceased

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Ms. Shivani Bhatia i/by Vis Legis Law Practice for Applicant.

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**CORAM        :        N. J. JAMADAR, J.**  
**DATE         :        8<sup>th</sup> JULY 2024**

**PC.:**

1. Heard the learned Counsel for the Applicant.
2. This application is preferred to restore the Testamentary Petition No.634 of 2021, which was filed for grant of Letters of Administration and came to be dismissed by a common order dated 10<sup>th</sup> January 2023, under Section 435 of the Bombay High Court, Original Side Rules.
3. The learned Counsel for the applicant submitted that the applicant/petitioner had carried out the necessary amendment in terms of order dated 26<sup>th</sup> July 2022 and had also moved a praecipe to list the petition. The petition came to be dismissed by

a common order dated 10<sup>th</sup> January 2023.

4. The learned Counsel for the applicant submits that no office objections/requisitions are to be complied with by the petitioner.

5. For the reasons assigned in the application and to advance the cause of substantive justice, the Interim Application stands allowed in terms of prayer clause (a).

6. Order dated 10<sup>th</sup> January 2023 whereby the Testamentary Petition No.634 of 2021, came to be dismissed under Section 435 of the Bombay High Court Original Side Rules, stands set aside.

7. Testamentary Petition No.634 of 2021 stands restored to file.

8. Department to proceed with the Testamentary Petition in accordance with law and rules, expeditiously.

**(N. J. JAMADAR, J.)**