

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

INTERIM APPLICATION NO.1827 OF 2024
IN
TESTAMENTARY PETITION NO.195 OF 2018

VISHAL
SUBHASH
PAREKAR

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Amit Arvind Shenoy

...Applicant

VS.

Damodar Janardhan Prabhu

...Respondent

Mr. Mallikarjun Bhoyare i/b. K.S. Jadhavar, for the Applicant.

CORAM : N. J. JAMADAR, J.

DATE : AUGUST 13, 2024

P.C.:

1. Heard the learned counsel for the applicant.
2. This application is filed for restoration of the Testamentary Petition No. 195 of 2018 which came to be dismissed pursuant to a common order dated 25th April, 2022 for non-removal of the office objections.
3. The learned counsel for the applicant submits that on account of his ill-health, the applicant could not remove the office objections within the stipulated period. The applicant undertakes to remove the office objection within a period of eight weeks from the restoration of the petition.
4. For the reasons assigned in the petition and to advance the cause to substantive justice, the application stands allowed in terms of the prayer clause (a).

5. The order dated 25th April, 2022 dismissing the Testamentary Petition for non-removal of office objections stands recalled qua Testamentary Petition No. 195 of 2018.
6. Testamentary Petition No. 195 of 2018 stands restored to the file subject to the condition that the petitioner shall remove the office objections within a period of eight weeks.
7. In the event, the office objections are not removed within the said period, this order would stand recalled and the petition dismissed without further reference to the Court.

(N. J. JAMADAR, J.)