

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

**INTERIM APPLICATION NO. 2383 OF 2024
IN
TESTAMENTARY PETITION (L) NO. 29061 OF 2021**

Deepika Arun Waghmare ...Applicant/Petitioner
Versus
Shevanta Bhagwan Waghmare ...Deceased

Mr. Rushi Alag i/by Mr. Mayank Mishra for Applicant/Petitioner.

CORAM : N. J. JAMADAR, J.
DATE : 29th AUGUST 2024

PC.:

1. Heard the learned Counsel for the Applicant.
2. This application is preferred to set aside the order dated 20th July 2023 passed by Prothonotary & Senior Master thereby rejecting the Testamentary Petition (L) No.29061 of 2021 for non removal of office objections.
3. The learned Counsel for the Applicant submitted that the applicant has furnished the Court fees. Consent affidavits of two of the legal heirs have been filed. Citation is required to be served on the non-consenting heirs.
4. In view of the aforesaid submission and to advance the cause of substantive justice, the order dated 20th July 2023

dismissing the Testamentary Petition (L) No.29061 of 2021 for non removal of office objections stands set aside and Testamentary Petition (L) No.29061 of 2021 restored to file subject to the applicant complying with the office objections, if any, within a period of six weeks from today.

5. In the event of non-compliance of the office objections within the said period of six weeks, this order shall stand recalled and Testamentary Petition (L) No.29061 of 2021 dismissed without further reference to the Court.

6. Application stands disposed.

(N. J. JAMADAR, J.)