

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

INTERIM APPLICATION NO.2696 OF 2024
IN
TESTAMENTARY PETITION (L) NO.23539 OF 2022

Grace Jacintha Pinto ...Petitioner

vs.

Mathew Anthony Chrispiano Pinto ...Deceased

Mr. Nerissa Almeida, for the Applicant.

CORAM : N. J. JAMADAR, J.

DATE : SEPTEMBER 13, 2024

P.C.:

1. Heard the learned counsel for the applicant.
2. This application is preferred to restore the Testamentary Petition (L) No.23539 of 2022 which came to be dismissed for non-removal of office objections pursuant to a common order dated 28th March, 2024.
3. The learned counsel for the applicant submits that Testamentary Petition came to be dismissed for non payment of Court fees. The applicant/petitioner is in a position to pay the Court fees no sooner the Testamentary Petition is restored to the file.
4. In view of the reasons assigned in the application and to advance the cause of substantive justice, the order dated 28th March, 2024 stands set aside qua the Testamentary Petition (L) No. 23539 of 2022 and the petition stands restored to the file subject to

the petitioner complying with the office objection/requisition within a period of four weeks.

5. In the event the office objection is not complied with within the said period, this order shall stand recalled and the Testamentary Petition shall stand dismissed without further reference to the Court.

Application disposed.

(N. J. JAMADAR, J.)