

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

CHAMBER SUMMONS NO. 175 OF 2017
IN
CAVEAT LODGING NO. 375 OF 2017
IN
TESTAMENTARY PETITION NO. 1875 OF 2016

Manvendra Bhalchandra Owalekar

In the matter between

Pradeep Bhalchandra Owalekar and anr. ...Petitioner

Vs.

Manvendra Bhalchandra Owalekar ...Caveator

Mr. D.M.Kulkarni for the Petitioner.
Mr. S.D. Shisode for the Respondent.

**CORAM : R.D.DHANUKA, J.
DATE : 06th MARCH, 2019**

PC :

1. Pursuant to the order dated 22.1.2019 the petitioner has filed notice of motion for restoration of the testamentary petition No.1875/2016. It is the case of the respondent that the said motion is

not filed within the time granted by this court by order dated 22.1.2019. Since the testamentary petition itself is dismissed for default this chamber summons No.175/2017 does not survive and accordingly dismissed. If the Testamentary Suit No.1875 of 2016 is restored, the applicant in chamber summons would be at liberty to seek restoration of the chamber summons.

(R.D. DHANUKA, J.)