

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO. 3747 OF 2024
IN
CAVEAT (L) NO. 27587 OF 2022

Popatlal Bhuralal Chheda	...Deceased
Kanta Nanji Chheda	...Applicant
<u>In the matter between</u>	
Dhiraj Devraj Vadhan	...Petitioner
And	
Kanta Nanji Chheda & Ors.	...Caveators

Adv. S. B. Rao i/by Gauri Rao for the Applicant.

CORAM : ARIF S. DOCTOR, J.
DATE : 18TH MARCH, 2025

P.C.:-

1. By way of the present Interim Application, the Applicant seeks the following reliefs:

"a) Delay of 130 days in filing the present application be condoned.

b) That the Hon'ble Court be pleased to recall the conditional order dated 6th February, 2024 passed by the Prothonotary and senior master under order 986 of the original side rules and restore the captioned Caveat Application on such terms and conditions as this Hon'ble Court deems fit."

2. Learned Counsel for the Applicant fairly points out that on the last occasion the Respondents had sought time to file an Affidavit-in-Reply. Today, none has appeared on behalf of the Respondents nor has any Affidavit-in-Reply been filed.

3. Having due regard to the submissions made in the Interim Application as also to advance the cause of substantive justice, I find that the Interim Application deserves to be allowed and is accordingly allowed in terms of prayer clause (a) and (b) already reproduced above.

4. Interim Application is accordingly disposed of.

(ARIF S. DOCTOR, J.)