

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

**INTERIM APPLICATION NO.864 OF 2025
IN
TESTAMENTARY PETITION NO.3114 OF 2019**

K. Srikanth alias Krishnamurthy Srikanth ... Deceased

Sharmila Barathan ... Applicant/Petitioner

Ms. Shreya Mohapatra i/b Khaitan & Co. for the Applicant/Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 09th APRIL 2025

P.C. :

1. Learned Counsel for the Applicant pointed out that the captioned Testamentary Petition which is filed for letters of administration (with a copy of Will) in respect of the properties and credits of one K. Srikanth alias Krishnamurthy Srikanth came to be dismissed vide an notice dated 25th April, 2022 for non prosecution.

2. Having perused the Interim Application, I find sufficient cause has been shown to allow the Interim Application. Furthermore, it is a non-contested

matter and the interest of substantive justice would require the same to be allowed. Given that, no prejudice would be caused to any third party if the Interim Application being allowed. Thus, I deem it fit and appropriate to allow the Interim Application in terms of prayer clauses (a), (b) and (c) which read thus:

- “ a) The delay of 71 days in filing the present Interim Application be condoned.*
- b) The notice dated 25th April 2022 insofar as it causes the rejection of the captioned Petition be set aside;*
- c) The delay of 956 days in complying with the office objections be condoned and the captioned Petition be restored.”*

3. Learned Counsel undertakes to comply with the office objections within a period of two weeks from the date on which a copy of this order is uploaded.

(ARIF S. DOCTOR, J.)