



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

INTERIM APPLICATION NO. 5081 OF 2025
IN
TESTAMENTARY PETITION NO. 975 OF 2017

Vasant Balkrishna Ghadi

...Deceased

And

The Maharashtra Executor Trustee Co. Pvt. Ltd

...Petitioner

Mr. Bhalchandra Saraf for Applicant.

Coram : Sharmila U. Deshmukh, J.

Date : 1st December, 2025.

P. C. :

1. Interim Application has been preferred seeking recall of the common conditional order dated 15th July, 2022 by which the Testamentary Petition came to be rejected for non-removal of office objections.
2. Learned counsel appearing for Applicant submits that most of the office objections have been complied with, however, one of the attesting witnesses was not alive, hence Affidavit of other attesting witness who is at advanced stage of age was required to be filed. He would submit that efforts were required to be taken for serving

citation which has now been duly served upon legal heirs. He submits that by reason of same, some of the office objections could not be complied within the stipulated time leading to dismissal of the Testamentary Petition.

3. For the reasons stated in the Application, the common conditional order dated 15th July, 2022 is recalled *qua* the present Petition. The Petition is restored to file.

4. Office objections, if any, to be removed within period of eight weeks from today.

5. Interim Application is allowed.

[Sharmila U. Deshmukh, J.]