



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

INTERIM APPLICATION NO. 6579 OF 2025
IN
CAVEAT NO. 26 OF 2020
IN
TESTAMENTARY PETITION NO. 1958 OF 2019

Harvinder Singh Anand

...Applicant/Petitioner

Versus

Satnam Singh Anand

...Respondent

Mr. Sahil Mahajan and Mr. Saurabh Godbole for Applicant/Petitioner.
Mr. S. Tripathi i/b R. M. Upadhyay for Respondent/Caveator.

Coram : Sharmila U. Deshmukh, J.

Date : 27th November, 2025.

P. C. :

1. Interim Application has been preferred seeking rejection of Caveat No. 26 of 2020 filed in Testamentary Petition.
2. Learned counsel appearing for Applicant submits that the Caveat was filed by Respondent on 5th December, 2019 and as per Rule 402 of the Bombay High Court (Original Side) Rules, 1980, an Affidavit in support of Caveat is required to be filed within period of eight days from the date of filing of Caveat. He submits that the Affidavit-in-support of Caveat has not been filed under Rule 402 of Bombay High

Court (Original Side) Rules, 1980 which mandates the filing within period of eight days.

3. The Caveat has been filed on 5th December, 2019 and no Affidavit has been filed within period of eight days. Even today, there is no Affidavit in support of Caveat being tendered and request is made for adjournment.

4. Considering non-compliance of Rule 402 of Bombay High Court (Original Side) Rules, 1980, Caveat stands dismissed.

5. Interim Application is allowed.

[Sharmila U. Deshmukh, J.]