



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

INTERIM APPLICATION NO. 7407 OF 2025

IN

CAVEAT (L) NO. 38368 OF 2022

IN

TESTAMENTARY PETITION NO. 668 OF 2020

Sunanda Sunilkumar Jain and Others ...Applicants

Versus

Pushpa Avinash Singhai ...Respondent

INTERIM APPLICATION (L) NO. 16142 OF 2024

*Ms. Sunita Banis for Petitioner in TP No. 1021 of 2021 and IA No. 7407 of 2025.
Mr. S. Shamim for Petitioner in TP No. 668 of 2020.*

Coram : Sharmila U. Deshmukh, J.

Date : 8th December, 2025.

P. C. :

1. Interim Application has been preferred seeking recall of conditional order dated 29th July, 2025 by which the Caveat came to be dismissed for non-removal of office objections.
2. Learned counsel appearing for Applicant submits that the Caveat was filed by the party in person in the year 2022 and came to be dismissed as the party in person was unaware of the procedure of removal of office objections. She submits that conditional order was passed in July, 2025 and Caveat came to be dismissed in August, 2025.

3. Learned counsel appearing for original Petitioner submits that no indulgence is required to be shown as Caveat was filed in the year 2022 and thereafter, no steps were taken by Caveatrix by reason of which the Petition for grant has been unnecessary delayed.

4. The specific pleading in the Application is that Caveatrix is senior citizens who is resident of Amravati and an Advocate and had been appearing as party in person. The order has been passed on 29th July, 2025 and caveat came to be dismissed in August, 2025 and immediately the present Application has been filed, which demonstrates due diligence on the part of Applicants. In any event, the Petitioner has also filed application for dismissal of the Caveat, which can be taken up for consideration. As there is sufficient explanation for restoration of the caveat, the order of 29th July, 2025 is recalled.

5. The office objections to be removed on or before 16th December, 2025.

6. Interim Application is allowed in the above terms.

Interim Application (L) No. 16142 of 2024 :

7. List on **18th December, 2025** under the caption for 'circulation'.

[Sharmila U. Deshmukh, J.]