

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

**SUIT NO. 13 OF 2006
IN
PETITION NO. 803 OF 2006**

Janardanrao Parshuramrao Salunke. ... Deceased.
Mrs. Kavita Ramdas Kadam & Anr. ... Plaintiffs.
V/s.
Mr. Pratap Janardanrao Salunke. ... Defendant.
Mr. Shishir S. Joshi for the Plaintiffs.
None for the Defendant.

CORAM : S.C. DHARMADHIKARI,J.

DATED : 2ND SEPTEMBER 2009.

P.C. :-

It is stated in the order passed by this Court that the Defendant has to prove that the Suit property is ancestral and not self-acquired property of the deceased. It is for the Defendant to lead evidence. Order dated 29th April 2009 is clear but the Defendant has failed to comply with the same. He and his Advocate has been absent since 29th April 2009. In such circumstances, Office to proceed on the basis that the Defendant does not wish to contest the proceedings. The Court would have to conclude that the proceedings are uncontested and direct the Office to act accordingly.

(S.C. DHARMADHIKARI,J.)