

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION
TESTAMENTARY SUIT NO.13 OF 2006
WITH
TESTAMENTARY PETITION NO.803 OF 2006

Kavita Ramdas Kadam .. Plaintiff
Versus
Pratap Janardanrao Salunke .. Defendant

Mr.Shishir S. Joshi for plaintiff
None for defendant.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 4th September 2009.

P.C.:

1] In the morning session, the above order came to be passed. But later on, defendant who is appearing in person, stated that he was present in court but could not make any submission. He is unaware of court proceedings and procedures and has now engaged Advocate who was also not present on account of some difficulty. Defendant states that he will now proceed with the matter without any delay and comply with the earlier orders by filing affidavits of documents of evidence. At his

request and in facts peculiar to this case, the order passed in morning session is recalled and the suit to continue on board as contested matter with final opportunity to the defendant to comply with this Court's order passed earlier. If the defendant fails to take necessary steps within two weeks from today, this Court would be constrained to once again direct that the proceedings be treated as uncontested and office may proceed accordingly. S.O. two weeks. Office to delete the name of Mr.Paradkar as Advocate appearing for defendant since he has been discharged by defendant.

(S.C.DHARMADHIKARI, J)