

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 72 OF 2017
IN
TESTAMENTARY PETITION NO.802 OF 2014**

Dinesh C Gupta ...Plaintiff
Versus
Shashi K Dwivedi ...Defendant

Mr Nitin R Gandhi, for the Plaintiff.
Mr Omprakash, for the Defendant.

CORAM: G.S. PATEL, J
DATED: 7th February 2018

PC:-

1. There is no compliance with the order dated 2nd May 2017 which allowed time of four weeks to file an affidavit of documents, etc. Nothing has been done. No application for extension of time has been made either. I am now asked for a further extension of time by six weeks.

2. I will grant a limited extension as a final opportunity but only until 9th March 2018. If there is non compliance by that date, the suit will stand automatically dismissed without further reference to the Court.

3. Upon compliance list the matter on 14th March 2018 for marking the Plaintiff's documents.

4. One additional issue will have to be framed thus:

"1A. Whether the Plaintiff proves that the at the time of said writing the deceased was of sound and disposing state of mind, memory and understanding?"

(G. S. PATEL, J)