

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY PETITION NO. 2873 OF 2023**

Prabha Surendra Patel

...Petitioner

Surendra Jashbhai Patel

...Deceased

CAVEAT (L) NO.35964 OF 2023

WITH

WILL NO.1193 OF 2023

IN

TESTAMENTARY PETITION NO.2873 OF 2023

Mr. Shashwat Rai a/w Ms Arunima Athavale i/b Keystone Partners for Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATED : 27th FEBRUARY 2025

P.C. :

1 The caption Testamentary Petition has been filed seeking probate of a photocopy of what is stated to be the last will and testament of one Surendra Jashbhai Patel (deceased). Thereafter, one caveat belatedly came to be filed by the son of the deceased. The Learned Counsel has invited my attention to the self explanatory order dated 19th December 2024 passed by the Prothonotary and Senior Master, which reads as follows.

On request, Caveator to remove office objections on the Caveat and get the same registered and/or numbered within two weeks from the date of uploading of Order; failing Caveat to stand rejected for non-compliance of office objections under O.S.Rule 986.

2 Despite the above order, the learned counsel for the caveator has not complied with the requisition within the time granted.

3 Having due regard to the submissions made and the fact that the order dated 19th December 2024 is passed by the Prothonotary and Senior Master, the caveat stand dismissed for non compliance of the office objections.

4 Testamentary Registrar is directed to pursue accordingly.

(ARIF S. DOCTOR, J.)