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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 45 OF 2013
IN
TESTAMENTARY SUIT NO. 29 OF 2013
IN
TESTAMENTARY PETITION NO. 1311 OF 2013**

Bharat Amratlal Bhagat Alias B.A. Bhagat	...Plaintiff
<i>Versus</i>	
Ranjana Ramesh Jethwa	...Defendant

Mr. Zain Mookhi, *with Ms. Shikha Raniwala, i/b Mansukhlal
Hiralal & Co., for the Plaintiff.*
Mr. Anand Kumar, *for the Defendant.*

CORAM: G.S. PATEL, J
DATED: 21st June 2016

PC:-

1. This is the Plaintiff's Chamber Summons for amendment to the probate Petition. It seeks to add certain items listed in Annexure "A" to the Chamber Summons to the Schedule of Assets annexed to the probate petition. Prayer (b) is for a direction to the Defendant, the Plaintiff's sister, to disclose a complete list of assets of the deceased.

2. The Defendant herself filed Testamentary Petition No. 1530 of 2012 to which was annexed a list of assets. The Schedule to the present Petition did not include those assets because they were not to the knowledge of the present Plaintiff. It is common ground that the Defendant's Testamentary Petition No. 1530 of 2012 was withdrawn.

3. Today, a statement is made on behalf of the Defendant by Mr. Kumar that the only assets in the estate of the deceased that were to the knowledge of the Defendant were those that were included in the Schedule to her now withdrawn Testamentary Petition No. 1530 of 2012. In that view of the matter, liberty to the Plaintiff to also include in the Schedule of Assets in this Petition those assets that were shown in the Schedule to the Defendant's Testamentary Petition No. 1530 of 2012. Consequential amendments are also permitted. Amendment to be carried out, without need of reverification, on or before 1st July 2016.

4. The Suit has already been posted to 4th July 2016 for framing issues. That date will remain unchanged.

5. Prayers (c) and (d) of the Chamber Summons are not pressed. In any case, they are not maintainable in an action such as this.

6. The Chamber Summons is disposed of in these terms with no order as to costs.

(G. S. PATEL, J.)