

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**TESTAMENTARY & INTESTATE JURISDICTION****CHAMBER SUMMONS NO.149 OF 2015****IN****TESTAMENTARY PETITION NO.1731 OF 2013**

Mrs. Rita Phansalkar

Nee Rita Bharucha

...Applicant

IN THE MATTER BETWEEN

Ruby Pesi Irani

...Petitioner

AND

Mrs. Rita Phansalkar

Nee Rita Bharucha

...Applicant

.....

Mr. Jainish Jain i/by M/s. LJ Law, Advocate for the Applicant.

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CORAM : A. K. MENON, J.**DATE : 12TH JANUARY, 2016.****PC.:**

The original Petitioner passed away on 13.6.2014. The Applicant is one of her sisters. She seeks to be brought on record in place of the Original Petitioner. The original Petitioner has one more sister Nancy B. Willoughby who had consented to the grant being issued in favour of the original Petitioner. This consent is seen in consent affidavit dated

27.10.2013. However, the Applicant has since obtained a further Affidavit of Consent from the said Nancy B. Willoughby dated 29.1.2015. The same is tendered across the bar and is taken on the record. In view of aforesaid consent, the Chamber Summons is allowed in terms of prayer clauses (a) and (b). Amendment to be carried out within a period of two weeks from today. Re-verification dispensed with.

(A. K. MENON, J.)