

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 145 OF 2018
IN
PETITION NO. 823 OF 2007

Kirti Rajmal Davada **Applicant**

Smt.Lalita Rajmal Davada alias
Lalita Rajmalji Davava **Deceased**

Kirti Rajmal Davada **Petitioner**

Mr. A.R.Bamne for the Applicant.

CORAM : R.D. DHANUKA, J.

DATE : 5th DECEMBER, 2018

P.C.

By this chamber summons, the applicant seeks condonation of delay of 678 days in filing chamber summons and seeks liberty to carry out amendment to the Testamentary Petition No. 823 of 2007 which is already allowed and a grant has been already issued to the original petitioner on 23rd December, 2013.

2. It is the case of the applicant that the shares of the two companies i.e. NESCO Ltd. and Vindhya Telelinks Ltd. could not be included in the Schedule annexed to the petition since the applicant was not aware of those shares belonging to the deceased at that time.

3. Learned counsel appearing for the applicant states that the

applicant shall file consent affidavit of the beneficiary to the said Will before seeking amendment to the grant of probate. Statement is accepted.

4. For the reasons recorded in the chamber summons, chamber summons is made absolute in terms of prayer clauses (a) and (b).

5. If any application is made for amendment of the grant of probate, the Office shall consider the said application only upon the applicant filing the consent affidavit of the other legal heirs of the said deceased. There shall be no order as to costs.

6. The amendment to be carried out within two weeks from today.

[R.D. DHANUKA, J.]