

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

INTERIM APPLICATION NO. 1463 OF 2021
IN
TESTAMENTARY PETITION NO. 2910 OF 2019

Joginderpal Amarnath Sharma ...Petitioner

And

Mukesh Kumar Joginderpal Sharma ...Applicant

Mr. Rajendra Kolage and Mr. Atul Kakade for the Petitioner.

CORAM : R.I. CHAGLA J

DATE : 13 October 2021

ORDER :

1. Heard learned Counsel for the Applicant.
2. By this Interim Application, the Applicant is seeking permission to carry out necessary amendment in the cause title of the Petition for substituting the name of the Applicant Mukesh Kumar Joginderpal Sharma after deleting the name of the deceased Petitioner as per Schedule annexed to the Interim Application.

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3. It is stated in the Interim Application that after filing of the Petition for obtaining Letters of Administration for Probate from this Court, the original Petitioner expired on 29th November 2019. The Applicant is the son and legal heir of the deceased. Accordingly, he has taken out the Application for substitution of the name of the deceased Petitioner with the Applicant.

4. Having considered the averments in the Interim Application, I am satisfied that the relief sought for in the Interim Application is required to be granted. Hence, following order is passed :-

(i) The delay of 318 days for filing the present Interim Application is condoned.

(ii) The Applicant shall carry out necessary amendment in the cause title of the Petition for substituting the name of the Applicant Mukesh Kumar Joginderpal Sharma after deleting the name of the deceased Petitioner Joginderpal

Amarnath Sharma and consequential amendment as per the Schedule annexed at Exh.B to the Interim Application.

(iii) Amendment shall be carried out by the Applicant within a period of four weeks from the date of this order.

(iv) Interim Application is disposed of in the above terms.

[R.I. CHAGLA J.]