

Sharayu Khot.

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

INTERIM APPLICATION NO. 1704 OF 2021
IN
TESTAMENTARY PETITION NO. 2002 OF 2015

Vidya Balakrishna Shenoy

...Applicant
(Org. Petitioner)

And

Dr. Shailabala alias Shaila Vinayak
Kamat

...Deceased

Ms. Shubha M. Dandekar for the Applicant/Petitioner.

CORAM : R.I. CHAGLA J

DATE : 21 October 2021

ORDER :

1. Heard learned Counsel for the Applicant.

2. The Applicant seeks leave of this Court to carry out amendment to the Schedule 1 and Schedule 3 annexed at Exh.B-1 and Exh.B-3 respectively of the Interim Application in terms of the draft Schedule - 1 submitted to this Court. Leave is granted. The Applicant shall carry out amendment forthwith.

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3. By this Interim Application, the Applicant/original Petitioner is seeking amendment of the Petition as per Schedules annexed at Exh.B, Exh.B-1 to Exh.B-3 to the Interim Application and for direction to the Prothonotary & Senior Master to amend the original grant as per Schedule at Exh.A annexed to the Interim Application.

4. The Applicant has stated that after the succession certificate was issued to the Applicant, it came to her notice that the pension account of the deceased in Bank of India and the amount in saving account and term deposit amount were not mentioned in the debts column of the Petition. Further, incorrect numbers of equity share certificates of Siemens India Limited were mentioned as also the value of the equity shares was mentioned at Rs. 10/- per share instead of Rs. 2/- per share.

5. In view of the averments in the Interim Application, relief sought for is required to be granted. Hence, following order is passed :-

- (i) The Applicant/original Petitioner shall amend the Petition as per Schedule 1 (amended Schedule), Schedule 2 and Schedule 3 (amended Schedule) at Exh.B-1 to Exh.B-3 of the Interim Application.
- (ii) Prothonotary & Senior Master of this Court is directed to amend the Schedule to the original grant of succession certificate in terms of Exh. A to the Interim Application issued on 21st April 2017.
- (iii) Amendment shall be carried out 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.]