

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO. 68 OF 2020
IN
TESTAMENTARY PETITION NO. 394 OF 1991**

Roshan Farokh Delkhah Irani ...Petitioner

And

Shireen Navroji Narielwalla alias Shirin Navroji
Narielwalla alias Bai Shireenbai ...Deceased

Ms Shweta P Kapadia, *with Supriya Bhatkar, i/b Vigil Juris, for the
Petitioner.*

Atul G.
Kulkarni

CORAM: G.S. PATEL, J
DATED: 3rd February 2021

PC:-

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by Atul G.
Kulkarni
Date: 2021.02.04
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1. This is an application for amendment of a grant of probate. The Petitioner is the original probate Petitioner. She sought probate of the last Will and Testament of one Shireen Navroji Narielwalla, who. died in Mumbai on 27th November 1990 leaving a Will dated 5th December 1988. The Petitioner was the sole executor of the Will. The Petition was contested by one Vipin S Shah who was not a legal heir of the deceased. That caveat was dismissed on 23rd August 2010, and the Testamentary Suit was thus disposed of. The Petition proceeded to the grant of a probate on 12th August 2013.

2. It appears that, through oversight, some shares that stood in the name of the deceased were not shown in the schedule to the Petition. In addition, the description of some of the shares at Sr. Nos. 5, 15 and 50 was inaccurate. These omissions and errors came to light only after the grant of probate.

3. Hence, this application.

4. I can see no reason to refuse the application. It is made absolute in terms of prayer clauses (a) and (b).

5. Given the fact that the Petitioner is in Pune and is a senior citizen, I will dispense with the requirement of re-verification. The Petitioner's verification of the present Interim Application will be sufficient for this purpose.

6. The Interim Application is disposed of accordingly.

7. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production of a digitally signed copy of this order.

(G. S. PATEL, J)