

INTERIM APPLICATION NO. 938 OF 2022  
IN  
TESTAMENTARY PETITION NO. 817 OF 2014

|                              |     |                                       |
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| Randhirlal Mahendralal Diwan | ... | Applicant/<br>(Orig. Petitioner No.1) |
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**In the matter between**

Pramilaben Mahendralal Diwan ... Deceased

And

Randhirlal Mahendralal Diwan & Ors. ... Petitioners

Mr. Randhirlal Mahendralal Diwan, Applicant in person, present.

**CORAM : R.I. CHAGLA, J.**

**DATED : 17<sup>th</sup> MARCH, 2022.**

**ORDER :**

1           The Applicant appears in person. The succession certificate was issued by this Court on 05.08.2014. After receiving the succession certificate one of the sisters of the deceased, namely Vanleela Mahendralal Diwan expired on 03.09.2017. A copy of the death certificate is annexed at Exhibit-C to the Application. She had left surviving her as her only

legal heir, one son namely Devansh Deepak Parikh, whose birth certificate is annexed and marked Exhibit-D. The Applicant has therefore, prayed that the succession certificate be corrected to include the name of Devansh Deepak Parikh as the only son and surviving legal heir of the deceased Vanleela Mahendralal Diwan who had been granted the succession certificate in respect of the debts and securities of the deceased with power to collect the said debts and to receive interest or dividend and to negotiate the said securities. Accordingly, the present Interim Application has been filed.

2 I have considered the submission of the Applicant who appears in person and who was one of the Original Petitioners who had been granted succession certificate by this Court on 05.08.2014 in respect of the debts and securities of the deceased Pramilaben Mahendralal Diwan. I have further noted the fact that the other Original Petitioner who had filed the Petition for succession certificate, has thereafter expired. It would thus be appropriate to permit the correction to be carried out in the succession certificate by including the name of Devansh Deepak Parikh as the legal heir surviving the deceased Vanleela Mahendralal Diwan who had been granted the succession certificate.

3 Hence, the following order :

- i) The Applicant is permitted to amend the Petition as per draft amendment annexed to the Interim Application as well as carry out consequential amendments if any, in the Petition.
- ii) The amendment shall be carried out by the Department in the certified copy of the original grant.
- iii) The Applicant shall carry out the amendment within a period of one week i.e. on or before 24.03.2022.
- iv) Re-verification is dispensed with.
- v) Interim Application is disposed of in the above terms.

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by WAISHALI  
SUSHIL  
WAGHMARE  
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(R.I. CHAGLA, J.)