

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

**INTERIM APPLICATION NO. 772 OF 2022
IN
TESTAMENTARY PETITION NO. 2121 OF 2019**

Manali Martin Rodrigues ... Applicant/Orig. Petitioner

And

Vinod Solomon Chopdade
alias Vinod S. Chopdade ... Deceased

Mr. S.U. Lakdawala for the Applicant/Orig. Petitioner.

CORAM : R.I. CHAGLA, J.

DATED : 11th MARCH, 2022

ORDER :

1 Heard the learned Counsel appearing for the Applicant/Original Petitioner. By this Interim Application, the Petitioner is seeking permission to amend Schedule I of the Petition as per Exhibit-B to the Interim Application along with consequential amendments. Further relief is sought for direction against Prothonotary and Senior Master to accept the original grant of succession certificate for amendment.

2 The Applicant had filed succession certificate in respect of certain securities belonging to the deceased Vinod Solomon Chopade. This Court had granted succession certificate on 28.09.2020. The Applicant has stated that after issuance of grant it was brought to the knowledge of the Applicant that in Sr. No.1 of Schedule I of the Petition, details of few shares were missing which needed to be incorporated. There were 1,160 shares of Abbott India Limited along with distinctive numbers and face value.

3 In paragraph 3 of the Interim Application, legal heirs of the deceased have been mentioned in the tabular form. The deceased had only one sister namely Mrs. Vijaya Rajanikant Salvi who predeceased the deceased on 06.08.2010. The Petitioner is the married niece of Mrs. Vijaya Rajanikant Salvi, who was the married sister of the deceased. There is a son of the said Mrs. Vijaya Rajanikant Salvi namely Mr. Primal Rajanikant Salvi. The deceased died as a Bachelor. The parents of the deceased predeceased the deceased. Save and except the legal heirs mentioned in tabular form at paragraph 3 of the Interim Application, the deceased was survived by no other legal heirs.

4 Having considered the submission of the learned Counsel for the Applicant/Original Petitioner and perusing the averments in the

Interim Application, a case has been made out for grant of relief sought for in the Interim Application.

5 Hence the following order :

- i) The Applicant is permitted to amend the Schedule I of the Petition of succession certificate of the deceased Vinod Solomon Chopade as per draft amendments in Exhibit- B annexed to the Interim Application.
- ii) The Applicant shall carry out the amendments within a period of two weeks from today i.e. on or before 24.03.2022. Re-verification is dispensed with.
- iii) The office of Prothonotary and Senior Master is directed to accept the original grant of succession certificate for amendment.
- iv) Interim Application is disposed of in the above terms.

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(R.I. CHAGLA, J.)