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

INTERIM APPLICATION NO.975 OF 2022
IN
TESTAMENTARY PETITION NO.951 OF 2020

Ushakiran Uday Nagarkar ...Petitioner

Versus

Arun Gajanan Nagarkar ...Deceased

Mr. Kaustubh J. Javle, for the Applicant / Petitioner.

CORAM : R.I. CHAGLA J.

DATE : 25TH MARCH, 2022

ORDER :

1. Heard the learned Advocate for the Applicant / Original
Petitioner.

2. By this Interim Application, the Applicant is seeking
permission to carry out after grant amendment in the original
Petition as per the Schedule marked as Exhibit B to the Interim
Application. It is stated that the Applicant / Original Petitioner was
granted Succession Certificate on 12th January, 2022. Thereafter the

Applicant / Original Petitioner approach respective banks to claim the amounts lying in the accounts of the deceased, upon which the bank informed the Applicant / Original Petitioner that there were some discrepancies with respect to the bank account details as mentioned in the schedule. There was also additional accounts in the name of the deceased that the Applicant / Original Petitioner was not having record of.

3. The other legal heir of the deceased mentioned in tabular form at paragraph 4 of the Petition is the sister of the deceased. Save and except the Petitioner and the sister of the deceased namely Mrs. Nandita Nandakumar Sabnis, the deceased was not having any other legal heirs or next of kins. The other legal heir of the deceased has filed her Consent Affidavit dated 2nd February, 2022 by which she has given her no objection for grant of amended Succession Certificate in favour of the Applicant / Original Petitioner without service of notice upon her and without prejudice to her respective share in the estate of the deceased.

4. Having considered the submissions of the learned Advocate for the Applicant and having perused the averments in the

Interim Application, a case is made out for grant of relief as sought for in the Interim Application. Hence following order is passed:-

(i) The Applicant / Original Petitioner shall carry out amendment in the original Petition in accordance with Schedule marked Exhibit B to the Interim Application.

(ii) The Petitioner shall carry out amendments within a period of two weeks from today i.e. on or before 8th April, 2022.

(iii) The Prothonotary and Senior Master shall accept original grant of Succession Certificate for amendment.

(iv) The Interim Application is disposed of.

[R.I. CHAGLA J.]