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

INTERIM APPLICATION NO.3117 OF 2021
IN
TESTAMENTARY PETITION NO.275 OF 2013

Navaz Pervez Lentin

...Applicant /
Petitioner

And

Hormusji Burjorji Dubhash

...Deceased

Mr. Siddharth Desai, i/b. Bina S. Shivhare for the Petitioner /
Applicant.

CORAM : R.I. CHAGLA J.

DATE : 25TH FEBRUARY, 2022

ORDER :

1. Heard learned Advocate for the Petitioner /
Applicant.

2. By this Interim Application, the Applicant / Original
Petitioner is seeking permission to amend Schedule I of the
Testamentary Petition as per the Schedule of draft amendment
at Exhibit B to the Interim Application.

3. The Applicant is a sole surviving heir of the deceased. The deceased had died intestate on 27th August, 2004. The Applicant had filed a Petition for Letters of Administration in this Court and this Court issued grant of Letters of Administration to the Applicant on 11th October, 2013.

4. The Applicant has stated that after the grant is issued, the Applicant had traced out some shares of certain companies which were not included in Schedule I to the Petition. Accordingly the present Interim Application has been taken out for amendment of Schedule I of the Testamentary Petition.

5. Considering the submission of the learned Advocate for the Petitioner as well as the averments in the Interim Application, a case is made out for grant of relief sought for in the Interim Application. Hence the following order:-

(i) The Applicant / Original Petitioner is permitted to amend Schedule I to the Testamentary Petition in

accordance with draft amendment at Exhibit B to the Interim Application.

(ii) The Applicant / Original Petitioner shall carry out amendment in the Testamentary Petition within a period of one week from today, i.e. on or before 4th March, 2022. Re-verification is dispensed with. Re-verification is dispensed with.

(iii) The Testamentary Department shall issue fresh grant taking into account amendment in the Schedule of Assets as permitted by this Court.

(iv) The Interim Application is disposed of in the above terms.

[R.I. CHAGLA J.]