

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

INTERIM APPLICATION NO. 184 OF 2023
IN
MISCELLANEOUS PETITION NO. 34 OF 2022

Satish Shivaji More

...Deceased

Prathmesh Satish More

...Applicant/
(Ori. Petitioner)

In the matter between

Prathmesh Satish More

...Petitioner

Mr. Akshay Pawar for the Applicant.

CORAM : ARIF S. DOCTOR, J.

DATE : 20th JANUARY, 2023

P.C. :

1. By the present Interim Application the Applicant seeks amendment to the Miscellaneous Petition No. 34 of 2022, which had been filed for the Legal Heirship Certificate of one Satish Shivaji More, who passed away intestate on 16th October, 2011.

2. By an order dated 4th February, 2022, this Court was pleased to grant the

Legal Heirship Certificate.

3. It is submitted that after the grant of the Legal Heirship Certificate, it came to the Petitioner's knowledge that the said Miscellaneous Petition had inadvertently failed to incorporate the correct prayer clause by inserting the name of the Petitioner therein.

4. It is for this reason, that the Petitioner now seeks an amendment to the said Miscellaneous Petition.

5. I have heard learned Counsel appearing on behalf of the Petitioner and perused the copy of the said Interim Application.

6. I find that the only legal heir of the deceased whose name appeared in the prayer clause namely Sharada Shivaji More, has filed an affidavit of consent to the present Interim Application.

7. I find that the present Interim Application is in order and in the facts and circumstances of the case, same is deserves to be allowed in terms of the prayer clause (a) which reads as under:

*"That this Hon'ble Court may be pleased to allow the Applicant/
Ori. Petitioner to carry out the necessary amendment to prayer
clause (a) of Miscellaneous Petition No. 34 of 2022 as mentioned*

in "Schedule-A" annexed herewith and further be pleased to amend the grant of Legal Heirship Certificate dated 9th March 2022 by replacing the name of "Smt. Sharada Shivaji More" with the name of the Applicant/Ori. Petitioner i.e. "Prathmesh Satish More."

9. The Interim Application is accordingly disposed of.

(ARIF S. DOCTOR, J)