



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 2015 OF 2023  
IN  
TESTAMENTARY PETITION NO. 32 OF 2015

Framroze Jehanbux Sethna

...Deceased

Jai Rustomji Bhajiwalla

...Applicant/Petitioner

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- Mr. Jamshyed Master, a/w Ms. Shireen Pochkhanawalla i/b Maneksha & Sethna, for Applicant/Petitioner.

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CORAM : MANISH PITALE, J.

DATE : 06<sup>th</sup> NOVEMBER, 2023.

P. C. :

1. Heard learned Counsel for the Applicant (Original Petitioner).

2. It is submitted that this Court by an order dated 06<sup>th</sup> December, 2022, allowed post grant amendment to Letters of Administration issued on 28<sup>th</sup> June, 2017.

3. It is submitted that by the post grant amendment certain items in the schedule stood amended.

4. It is submitted that by this application, the Applicant seeks exemption from filing consent affidavits of all the legal heirs shown in paragraph no. 9 of the original petition. It is submitted that the amendment to the schedule granted by this Court does not materially alter the nature of consent given by the aforesaid legal

heirs because in their consent affidavits they had specifically submitted that they had no objection in respect of the Will executed by the deceased.

5. This Court is convinced that since the filing of fresh Consent affidavits may become a cumbersome exercise, the prayer made on behalf of the Applicant deserves to be granted.

6. In view of the above, the application is allowed in terms of prayer clauses (a) and (b), which read as follows :

- “(a) filing of the consent affidavits of all the legal heirs shown in Paragraph No. 9 of the petition, in respect of carrying out after grant amendments be dispensed with.*
- (b) the submission of an additional Administration Bond for the after grant amendment be dispensed with; and”*

**(MANISH PITALE, J.)**