

R.M. AMBERKAR
(Private Secretary)

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

INTERIM APPLICATION NO. 2069 OF 2023
IN
TESTAMENTARY PETITION NO. 751 OF 2023

(1) Phiroze Manchershaw Daruwalla alias
Pheroze Munchershaw Daruwala and
(2) Roda Phiroze Daruwalla alias
Roda Pheroze Daruwala alias
Roda Pheroze Daruwala .. Deceased
Niloufer Hoshang Elavia .. Applicant

IN THE MATTER BETWEEN

Hoshang Minocher Elavia .. Petitioner

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• Mr. Vinod Sakpal i/by Milan Bhise & Co for Applicant / Petitioner
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CORAM : MILIND N. JADHAV, J.

DATE : JUNE 13, 2023

P.C.:

- 1.** Heard Mr. Sakpal, learned Advocate for Applicant.
- 2.** Present Interim Application has been filed for deletion of the name of the deceased Petitioner in Testamentary Petition No. 751 of 2023 (which was registered on 08.02.2023) and substitution of the name of Applicant as Petitioner as per schedule of amendment Exhibit "B". Petitioner expired on 09.02.2023 and death certificate to that effect is issued by the MCGM. I have seen the same.
- 3.** Mr. Sakpal would submit that Applicant is the sole surviving legal heir of the deceased Petitioner. Averments to that effect have

been effectively made in the Application. In view of the same, Interim Application stands allowed and disposed of in terms of prayer clause (a) which reads thus:-

“(a) that the interim application be made absolute and the Applicant may be allowed to delete the name of the deceased Petitioner and substitute the same by the name of the Applicant as Petitioner as per the schedule of amendment as Exhibit ‘B’.”

4. Amendment to be carried out within a period of one week from today. Re-verification is dispensed with.

[MILIND N. JADHAV, J.]