

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO.3368 OF 2022
IN
PETITION NO.2517 OF 2017**

Sweta Mayank Patel nee
Sweta Pravin Jhaveri alias
Sweta P. Jhaveri

... Deceased

Mayank Arvind Patel

... Applicant

Mayank Arvind Patel

... Petitioner

Mr. Ravindra G. Sharma for the Applicant.

CORAM : ARIF S. DOCTOR, J.
DATE : 10TH APRIL 2023

P.C. :

1. By the present Interim Application, the Applicant seeks the post grant amendment to the Schedule – I annexed to Testamentary Petition No.2517 of 2017. The said Testamentary Petition was filed for Succession Certificate in respect of certain securities belonging to one Sweta Mayank Patel.

2. This Court by an order dated 12/04/2018 was pleased to grant the Succession Certificate to the Applicant as prayed for in the said Testamentary Petition.

3. Learned Counsel for the Applicant submits that it was only post the grant that the Applicant became aware that there were certain additional securities standing in the name of the deceased. Learned Counsel further submits that it is these securities that the Applicant seeks to add to the Schedule-I for completeness of the grant of Succession Certificate.

4. I have heard learned Counsel for the Applicant and perused the Interim Application. I find that the same is in order and deserves to be allowed in the interest of justice. The Interim Application is therefore allowed in terms of prayer clauses (a) and (b), which read as under :-

"a. that the delay in filing of the Interim Application of the 839 days be condoned;

b. that this Hon'ble Court be pleased to allow the Applicant/ Petitioner to amend the Petition and also Schedule – I in as per Schedule and Exhibit 'B' annexed hereto, and thereafter in grant."

5. Amendment to be carried out within a period of two weeks from the date of the present order, i.e., 24/04/2023.

6. Interim Application is thus disposed of in terms of the above order.

(ARIF S. DOCTOR, J.)