

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO.3472 OF 2022
IN
TESTAMENTARY PETITION NO.1026 OF 2000**

Ramesh Ambalal Patel

... Deceased

Pratibha R. Patel & Anr.

... Applicants (Orig. Petitioners)

Mr. Sagar Parab i/by Vigil Juris for the Applicants/Original Petitioners.

CORAM : ARIF S. DOCTOR, J.

DATE : 20TH FEBRUARY 2023

P.C. :

1. The present Interim Application has been filed seeking amendments to the Schedule annexed to the Testamentary Petition No.1026 of 2000. Testamentary Petition No.1026 of 2000 was filed for Probate of the Last Will and Testament of Mr. Ramesh Ambalal Patel ("the deceased") and the said Probate was granted by this Court on 22/01/2002.

2. The reason for which the amendments are required to be made is set out in Paragraph 5 of the Interim Application. The Interim Application sets out that while administering the estate of the deceased, it was noticed that some shares, bonus shares/new allotments/shares with a change in face value/bonds

have not been listed in the Schedule attached to Testamentary Petition No.1026 of 2000. Certain shares/bonds were inadvertently also not included in the Schedule to the Testamentary Petition. It is thus that the present Interim Application has been taken out.

3. I have heard learned Counsel appearing on behalf of the Applicants/Petitioners and perused the Interim Application. I find that the Interim Application is in order and deserves to be allowed in the interest of justice. Accordingly, the Interim Application is allowed in terms of prayer clauses (a) and (b), which read as under :-

“(a) That the Applicants be allowed to amend the Testamentary Petition No.1026 of 2000 to bring on record new shares along with the bonus shares/new allotments/shares with a change in face value/bonds standing in the name of the Deceased as mentioned in Amendment Schedule hereto annexed as Exhibit “C” and that the grand dated 22nd January 2002 be also amended accordingly to reflect the same;

(b) That this Hon’ble Court be pleased to permit the Applicants to make all such other necessary and/or consequential amendments to the Testamentary Petition No.1026 of 2000 and proceedings herein; ”

5. Amendments to be carried within a period of two weeks from today.

6. The Interim Application is disposed of in terms of the above order.
7. Re-verification is not dispensed with.

(ARIF S. DOCTOR, J.)