

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO.744 OF 2023
IN
TESTAMENTARY PETITION NO.533 OF 2022**

1. Cheerakuzhi Sreedharan Menon

2. K. Kanakavally Menon ... Deceased

Jyothy Lakshmi Krishna Kumar ... Applicant

In the matter between :-

Krishna Kumar Kunnath & Anr. ... Petitioners

And

Jyothy Lakshmi Krishna Kumar ... Applicant/Proposed Petitioner

Ms. Shweta B. Kamble for the Applicants/Proposed Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 20TH FEBRUARY 2023

P.C. :

1. The present Interim Application has been filed to implead the Applicant in place and stead of Petitioner No.1, who passed away on 31/05/2022.

2. Testamentary Petition No.533 of 2022 has been filed for Letter of Administration in respect of the property and credits of Shri Cheerakuzhi

Sreedharan Menon and Smt. K. Kanakavally Menon. The Petitioners in that Testamentary Petition are the children of the deceased.

3. I have heard learned Counsel appearing on behalf of the Applicant/proposed Petitioner 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 clause (a), which reads as under :-

“(a) That the Applicants be permitted to amend the Petition and implead the proposed Petitioner as Petitioner No.1 as per Schedule of Amendment.”

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

6. Re-verification is dispensed with.

7. The Interim Application is disposed of in terms of the above order.

(ARIF S. DOCTOR, J.)