

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

INTERIM APPLICATION NO. 1221 OF 2023

IN

PETITION NO. 1432 OF 2020

Shailesh Mahesh Advani

...Applicant

In the matter between

Dr. (Mrs.) Padmini Harkishin Advani

...Deceased

Dr. Mahesh Kumar Harkishin Advani

...Petitioner

Adv. Shirin Irani for Applicant.

CORAM : ARIF S. DOCTOR, J.

DATE : 21st March, 2023

P.C. :

1. The present Testamentary Petition has been filed for Letters of administration to the properties and credits of one Dr.(Mrs.) Padmini Harkishin Advani. Learned Counsel appearing on behalf of the Petitioner states that the Petitioner has passed away on 26th April, 2021 and thus the present Interim Application has been taken out to substitute the Applicant in place and stead of the Petitioner, since the Applicant is the grand son of the Deceased.

2. I have heard learned Counsel, perused the copy of the said Interim Application and find that there is no impediment in granting the reliefs as prayed for. Interim Application is therefore allowed in terms of prayer clause (a), (b) and (c) which read as under:-

*"a. That the abatement of the Petition may kindly be set aside.
b. That the delay of 385 days for filing of Interim application which may kindly be condoned as the applicant being layman or legally unaware of legal proceedings.
c. That the Petitioner be permitted to amend as per the Exhibit "B" annexed to Interim Application in Title, Legal Heir Chart of the Original Petition."*

3. Amendment to be carried out within a period of two weeks from today.
4. The present Interim Application is accordingly disposed of.

(ARIF S. DOCTOR, J.)