

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO.2244 OF 2019
IN
TESTAMENTARY PETITION NO.36 OF 1981**

Kishor Mavji Shah ... Applicant
(Org. Petitioner)

In the matter between

Mavji Ladhahbai alias Mavji Ladhahbai Shah ... Deceased

Kishor Mavji Shah ... Petitioner

Ms. Shweta Singh i/by Yatin R. Shah for the Applicant.

CORAM : ARIF S. DOCTOR, J.

DATE : 23RD JANUARY 2023

P.C. :

1. The present Interim Application is filed seeking a post grant amendment to the Schedule-I of Testamentary Petition No.36 of 1981.

2. The Applicant sets out that the Applicant recently traced out one immovable property, which remained to be shown in the Schedule-I annexed to the Testamentary Petition and thus the amendment is sought for in the Interim Application.

3. I have heard learned Counsel appearing on behalf of the Applicant and perused the Interim Application. I am inclined to allow the Interim Application, however re-verification shall not be dispensed with.

4. The Interim Application is therefore allowed in terms of prayer clauses (a) and (b), which read as under :-

“(a) That the Applicant may kindly be allowed to amend Petition as per Schedule annexed to the Interim Application.

(b) That after amendment of Petition, as sought in prayer (a), is carried out, Testamentary Department may be direct to amend Probate issued on 11th March 2010 in above Petition, as per amended Petition.”

(ARIF S. DOCTOR, J.)