

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO.5384 OF 2022
IN
SUIT NO.99 OF 2009
IN
PETITION NO.836 OF 1997

Perin Dhunjishah Gagrath @ Mrs. Perin

D. Gagrath @ Perin

... Deceased

In the matter between:

Viloo Byramji Plumber

... Plaintiff / Petitioner

Vs.

Dr. Dinshah Dhunjishah Gagrath

... Defendant / Caveator

Mr. Ramgopal S. Tripathi a/w. Mr. Ankit R. Tripathi for Applicant.

Mr. Parantap Mahadevia i/b. Rustamji and Ginwala for Caveator / Defendant.

CORAM : MANISH PITALE, J.

DATE : SEPTEMBER 05, 2023

P.C. :

By this application, the applicant seeks conversion of the probate petition / suit into a proceeding for letters of administration with Will of the deceased. The amendment is sought as per schedule and in support of the application, copy of death certificate of Viloo Byramji Plumber is also annexed. The said person was the original petitioner / plaintiff in the proceedings.

2. In the light of the documents placed on record along with the application, the same is allowed in terms of the prayer made therein. Accordingly, amendment is allowed as per schedule annexed to the application, to be carried out within a period of four weeks from today.

3. The application stands disposed of.

(MANISH PITALE, J.)