

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

**INTERIM APPLICATION NO. 669 OF 2022
IN
TESTAMENTARY PETITION NO. 343 OF 2022**

Chandrabala alias Minaxi Manharlal & Ors. ... Applicants/
Petitioners

Manharlal Manilal Mehta alias
M. M. Mehta alias
Maharlal M. Mehta ... Deceased

Mr. Milind S. Gyani for Applicants.

**CORAM: MANISH PITALE, J.
DATE : 25th APRIL 2024**

P.C. :

. Heard learned counsel for the applicants.

2. By this application, the applicants seek permission to amend the testamentary petition, as per the schedule annexed to the application, in the light of the fact that during pendency of the petition, petitioner No.4 expired. Copy of death certificate is annexed at Exhibit 'A', which shows that petitioner No.4 expired on 10th November 2011. The schedule of amendment at Exhibit 'B' shows that the widow and daughter of the deceased petitioner No.4 are sought to be brought on record.

3. For the reasons stated in the application, the same is

allowed, as per prayer clause (a), which reads as follows :

“(a) That this Hon’ble Court be pleased to permit the Applicants to amend the above Testamentary Petition as per the “Schedule of Amendment” being Exhibit: “B” to the Interim Application.”

4. The amendments be carried out within two weeks from today. Re-verification is dispensed with.

5. At this stage, the learned counsel for the applicants informs this Court that during the pendency of the application disposed of hereinabove, petitioner No.1 also expired on 20th June 2023. The learned counsel for the applicants (original petitioners) has tendered a copy of death certificate to show that the petitioner No.1 expired on 20th June 2023. He has also tendered a schedule of amendment, whereby it is proposed that the name of the petitioner No.1 be deleted, as legal heirs of petitioner No.1 are already on record.

6. It is relevant to note that this is an uncontested proceeding for grant of letters of administration.

7. The copy of death certificate and the proposed schedule of amendment tendered by the learned counsel appearing for the applicants (petitioners) are taken on record.

8. In the interest of justice, the petitioners are permitted to delete the name of the petitioner No.1 in terms of the aforesaid schedule taken on record.

9. The amendments be carried out within the aforesaid period of two weeks from today. Re-verification is dispensed with.

MANISH PITALE, J.