

Mr. Sameer R. Logade for applicant/petitioner No.2.

CORAM : MANISH PITALE, J.
DATE : 02nd JANUARY, 2024

P.C. :

Heard learned counsel for the applicant. On the last occasion, this Court had directed the applicant to file an additional affidavit to clarify as to whether earlier miscellaneous petitions filed in the present proceedings, were disposed of or not.

2. An additional affidavit has been filed alongwith copies of orders passed by this Court. A perusal of the orders dated 24.08.2017 and 06.04.2018 passed by this Court, shows that the earlier miscellaneous petitions were indeed disposed of.

3. By the present application, the applicant/original petitioner No.2 is seeking post-grant amendment to the probate issued on 05.09.2009, in order to give further detailed description of the property at item No.1. The street number is also sought to be corrected with regard to the said property.

4. This Court has perused the application and the documents filed therewith. It appears that the occasion to seek such an amendment has arisen recently, when the office of the Superintendent, City Survey and Land Records, Mumbai, pointed out that the detailed description of the aforesaid property, is necessary in the grant.

5. In view of the above, the application is allowed in the interest of justice, in terms of prayer clause (a) which reads as follows:

“(a) This Hon’ble Court be pleased to allow to amend the Grant of Probate dated 5th September, 2009, as per Schedule annexed herewith at Exhibit ‘E’;”

6. Amendment be carried out within three weeks from today. Re-verification is dispensed with.

7. The testamentary department is directed to take necessary steps expeditiously, carry out the consequential amendment in the grant and issue original grant to the petitioner.

(MANISH PITALE, J.)

Priya Kambli