

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

INTERIM APPLICATION NO.1563 OF 2024
IN
TESTAMENTARY PETITION NO.1801 OF 2017

Dr. Manoj Natvarlal Shah

...Petitioner

vs.

Lakshmidas @ Bachubhai s/o.

Chatrabhuj Mody @ Laxmidas C. Mody

...Respondent

Mr. Niket Harit a/w. Mr. Hrushikesh Shinde i/b. Mr. Manoj Harit & Co., for the Petitioner.

CORAM : N. J. JAMADAR, J.

DATE : JUNE 24, 2024

P.C.:

1. Heard the learned counsel for the parties.
2. This is an application for post grant amendment in the schedule of properties appended to the TP No. 1801 of 2017. The said petition was allowed by an order dated 22nd December, 2019.
3. In the application, it is averred that while executing the probate, it was realized that the survey number of the property mentioned at Serial No. 2 in the schedule appended to the petition was incorrectly mentioned as "2014/15" instead of "2299". It is, therefore, necessary to amend the schedule of the properties appended to the petition, in accordance with the draft of the amendment at Exhibit C to the instant application.
4. The proposed amendment appears to be essentially in the

nature of correction of a clerical error in mentioning the survey number of the properties.

5. The application, thus, stands allowed in terms of the prayer clause (a).

6. The petitioner is permitted to amend the schedule of properties appended to the petition in accordance with schedule of draft amendment at Exhibit C to the instant Application.

7. Necessary amendment be carried out within a period of two weeks.

8. Re-verification is dispensed with.

9. Post amendment grant expedited.

Application disposed.

(N. J. JAMADAR, J.)