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**Before : Shri E. B. Sivakumar,**  
Addl. Registrar (O.S.) /  
Addl. Prothonotary and Senior Master

**Date : 10<sup>th</sup> October, 2024**

**CALLED FOR DIRECTION:**

**6.CHOL/455/2024 ) Mr. Gautam Shripad Dongre, Advocate for the**  
**In ) Applicant / Petitioner.**

**TP/514/2024**

) P. C. : 1. By this Chamber Order, the Applicant seeks  
) amendment of the Petition.  
)

) 2. The Ld. Advocate for the Applicant submits that  
) the original Petitioner has died in Ohio, USA on  
) 19<sup>th</sup> April, 2024. He further submits that the  
) Applicant is the grandson of the deceased  
) Petitioner. The Ld. Advocate further submits that  
) the Chamber Order was e-filed bearing e-Filing  
) No.ED-HCBM02-37546-2024 on 19<sup>th</sup> June 2024  
) and had received an email from the Hon'ble High  
) Court having approved the above Chamber Order.  
) He tenders a copy of the email dated 19<sup>th</sup> June,  
) 2024 received by him from this Hon'ble Court in  
) respect of approval of the Chamber Order bearing  
) e-Filing No. ED-HCBM02-37546-2024. The same  
) is taken on record. He further submits that since  
) there was a technical change in the e-Filing Portal  
) of this Hon'ble Court, the above Chamber Order  
) was not displaying in the new e-Filing Portal. He  
) further submits that the said Chamber Order was  
) again uploaded and e-Filed vide e-Filing  
) No.AMH20240130416C202400008 and the present  
) Chamber Order number is given. He further  
) submits that in view of the previous Chamber Order  
) having e-Filed No.ED-HCBM02-37546-2024 and

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) : 2 :

) the present Chamber Order is in continuation of  
) present Chamber Order are one and the same,  
) therefore the Chamber Order is filed within the  
) period of limitation. He, therefore, prays that the  
) Chamber Order be allowed and Applicant be  
) permitted to amend the Petition as per the Schedule  
) annexed to the Chamber Order.  
)

) 3. Perused the Affidavit in Support of the Chamber  
) Order. The Applicant in the Affidavit has stated that  
) the Petitioner has died on 19<sup>th</sup> April, 2024 and he is  
) the grandson and one of the legal heir of the  
) deceased. The Applicant has further stated that in  
) view of the death of the Original Petitioner the legal  
) heirs and residual legatees to property and credits  
) of the deceased have preferred to proceed with the  
) present Petition by adding the Applicant as  
) Petitioner and by making certain amendments to  
) the Petition as per Schedule annexed to the  
) Chamber Order. The Applicant, therefore, prayed  
) to grant the Chamber Order.  
)

) 4. In the present case, the Chamber Order  
) bearing e-Filing No.ED-HCBM02-37546-2024 was  
) initially filed on 19<sup>th</sup> June 2024. Since the e-Filing  
) system was migrated from one Portal to another the  
) Chamber Order bearing e-File No.ED-HCBM02-  
) 37546-2024 was not made available in the new  
) Portal of e-Filing and, therefore, the Applicant was  
) required to e-File the said Chamber Order again  
) and got another number, which is filed after the  
) limitation period to bring the legal heir on record.  
) Rule-14 of “e-Filing Rules of the High Court of  
) Bombay 2022”, provides for the computation of  
) time of e-Filing. Rule-14.4 provides for limitation  
) governing on-line e-filing will be the same as those  
) applicable to physical filing and the period of  
)

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) : 3 :  
) limitation for such actions will commence from the  
) date when e-filing is made as per the procedure  
) prescribed in these Rules. Therefore, the date of e-  
) Filing of Chamber Order bearing No. ED-  
) HCBM02-37546-2024 on 19<sup>th</sup> June, 2024 is  
) considered for computation of time and the present  
) Chamber Order is in continuation of the previous  
) one and the same is treated as filed within time.  
)  
) 5. For the reasons stated in the Affidavit in  
) Support, the Chamber Order is allowed and the  
) Chamber Order is signed separately.  
) Amendment to be carried out as per Schedule  
) annexed to the Chamber Order, within three  
) weeks' from the date of uploading the order.

10.10.2024

**Addl. Registrar (O.S.) /**  
**Addl. Prothonotary and Senior Master**