

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

INTERIM APPLICATION NO.3200 OF 2024
IN
TESTAMENTARY PETITION NO.3639 OF 2023

VISHAL
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Bhavana Tushar Gandhi ...Applicant

vs.

Tushar Shantilal Gandhi ...Deceased

Mr. Wajid Shaikh, for the Applicant.

CORAM : N. J. JAMADAR, J.

DATE : NOVEMBER 21, 2024

P.C.:

1. Heard the learned counsel for the applicant.
2. This is an application for post grant amendment in the probate of the last will and testament dated 19th July, 2018 of late Tushar Gandhi, granted by an order dated 18th June, 2024. In the application it is averred that in the Schedule of Properties (Schedule I), the property in the State of Gujrat at serial No. 1 was incorrectly described as "Flat No.L- 1345, Rajhans Symphonia, Near Aabhva Chokdi, Aabhva, Surat, Gujarat State" instead of "Flat No. A1, First Floor, Manmandir Apartment, Nanpura, Timbaliyawad, Surat, Gujarat State". It is, therefore necessary to amend the Schedule so as to incorporate the correct description of the property.
3. Pursuant to an order dated 24th October, 2024, the applicant

has filed an additional affidavit. Copies of the maintenance bill and property tax and water tax receipts issued by Surat Municipal Corporation are annexed to the affidavit. The documents, prima facie, lend support to the claim of the applicant. I, therefore do not find any impediment in allowing the application.

Hence, the following order.

ORDER

- 1] The application stands allowed in terms of prayer clause (a).
- 2] Necessary amendment in accordance with the Schedule of Amendment (page 6) be carried out within a period of four weeks.
- 3] Post amendment, grant expedited.

(N. J. JAMADAR, J.)