

Shailaja

This order is corrected vide order dated 9.5.2025
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO.1271 OF 2025
IN
TESTAMENTARY PETITION NO.288 OF 2019

Mathew Antonio Fernandes	]	Deceased
Flavia Mathew Fernandes	]	Applicant/Petitioner

IN THE MATTER BETWEEN:

Flavia Mathew Fernandes	]	Applicant/Petitioner
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vs.

Priscilla John Fernandes	]	Caveatrix/Defendant
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Vs.

John Peter Fernandes and another	]	Proposed Defendants
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Ms. Namrata Rayate i/b MG Legal, for Applicant.

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CORAM : ARIF S. DOCTOR, J.

DATE : 6th MAY, 2025.

P.C.

1. Learned Counsel appearing on behalf of the applicant points out that Interim Application seeks formal amendment to delete name of the caveator and replace the same with the legal heirs of the caveator. Learned Counsel submits that copy of the application has been served on the petitioner, so also notice of today's hearing is given to him. Statement is accepted. Affidavit of service has to be filed in the Registry.

2. Given formal nature of the application, Interim Application is allowed in terms of prayer clauses (a), (b) and (c) which read thus;

*“a. That the name of Mr. John Peter Fernandes and Mr. Croydon John Fernandes be brought on record in the above Testamentary Petition in place of the name of the deceased Legal Heir as per the proposed amendment at **Ex-A** hereto.*

b. That the name of the deceased Caveatrix be deleted.”

*c. That the name of Mr. John Peter Fernandes and Mr. Crydon John Fernandes be brought on record in the above Caveat in place of the name of the deceased Caveatrix as per the proposed amendment at **Exh-B** hereto”.*

3. Amendment to be carried out within two weeks from today.
4. Re-verification is dispensed with.
5. Interim Application stands disposed of.

[ARIF S. DOCTOR J.]