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

Date : 25th February, 2025

CALLED FOR DIRECTION:

1.CHOL/65/2025) Mr. Dipak Gaikawad, Advocate for the Applicant /
AMH20230003933C202400007) Petitioner.
In)
TP(L)/10441/2024)
) P. C. :
)
) 1. By this Chamber Order, the Applicant / Petitioner
) seeks leave to amend the Petition as per the Schedule
) annexed to the Chamber Order i.e. (1) To annex copy of
) correct Will and replace the incorrect copy of Will dated 25th
) May 2018 and (2) To file Fresh Affidavit of attesting witness
) to the Will of the deceased dated 25th May 2018.
)
)
) 2. Perused the Affidavit dated 20th August, 2024 annexed
) to Chamber Order. It is stated in the said Affidavit that at
) the time of filing the present Petition, inadvertently an
) incorrect copy of the Will dated 25th May 2018 was annexed
) to the above Petition and also Affidavit of attesting Witness
) was filed on the basis thereof. It is further stated that the
) Will annexed to the above Petition is not the correct copy of
) the Will and the same is required to be substituted and/or
) replaced with the correct copy of Will of the deceased. The
) Applicant / Petitioner has further stated that the deceased
) had prepared two copies of the Will, but at time of signing
) the Will one copy was signed by one attesting Witness and
) other was signed by both attesting Witnesses. The Applicant
) / Petitioner has further stated that while arranging the
) papers she found the original Will of the deceased and
) therefore she had checked and compared the Will and found
) that a wrong copy of the Will was annexed to the Petition
) instead of the Will duly signed by the all the Attesting
)
..2/-

) : 2 :

) Witnesses. The Applicant / Petitioner further stated that
) annexing incorrect copy of the Will is a genuine and
) bonafide mistake and as soon as the same came to her
) knowledge she took steps by taking the present Chamber
) Order for rectifying and / or amending the Petition. The
) Applicant / Petitioner therefore prayed for permission to
) replace the wrong copy of the Will and annex right copy of
) the Will and also to file a fresh Affidavit of Attesting
) Witness.
)

) 3. Heard the Ld. Advocate for the Applicant / Petitioner.
) For the reasons stated in the Affidavit in Support, the
) Chamber Order is allowed. Amendment to be carried out as
) per Schedule annexed to the Chamber Order, within two
) weeks' from today.
)

25.02.2025

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