

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.30 OF 2025
IN
TESTAMENTARY PETITION NO.47 OF 2020**

Rochelle Braganza] **Applicant**

IN THE MATTER BETWEEN:

Dorothy Rodrigues,] **Petitioner**

Godfrey Dunstan Rodrigues] **Deceased**

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Ms. Netra Kothari i/b Wadia Ghandy & Co., for Applicant.

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CORAM : ARIF S. DOCTOR, J.

DATE : 29th APRIL, 2025.

P.C.

1. This Court vide an order dated 29th November, 2023 granted the applicant Letters of Administration in respect of the properties and credits of one Godfrey Dunstan Rodrigues (the deceased). Learned Counsel points out that in the schedule of the properties of the deceased, the applicant has omitted to mention that the deceased had ¼ share in leasehold plot, more particularly, mentioned in schedule of amendment. Learned Counsel submits that the said plot was bequeathed to the deceased by one Late Miss Harriet Eda Theresa

Rodrigues by a last Will and Testament. Learned Counsel submits that the Will has been duly probated. It is to add this property to the schedule, present Interim Application has been filed.

2. Having heard learned Counsel for the applicant and having due regard to the submissions made by the learned Counsel for the applicant, I find that sufficient cause to allow the Interim Application has been set out. Interim Application is, therefore, allowed in terms of prayer clause (a) which read thus;

(a) the Applicant may be allowed to amend Schedule-I of Assets of the aforesaid Petition No.47 of 2020 as per the Schedule hereto annexed and marked Exhibit "D" and thereafter the original Grant dated 29th November, 2023 of Letters of Administration in accordance therewith;

3. Amendment to be carried out within two weeks from today.

4. The Interim Application is accordingly disposed of. There shall be no order as to costs.

[ARIF S. DOCTOR J.]