

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO. 145 OF 2025
IN
TESTAMENTARY PETITION NO. 3104 OF 2023

Rajendra Motilal Jain

...Applicant

In the matter between

Deviben Champaklal Mehta

...Deceased

And

Rajendra Motilal Jain

...Petitioner

Adv. Kunjan Makwana a/w Labdhi Parekh i/by Makwana and Associates for the
Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 4TH MARCH, 2025

P.C.:-

1. This Court had, vide an order dated 25th September, 2004, granted to the Applicant probate in respect of the last Will and Testament of Deviben Champaklal Mehta (the deceased). Learned Counsel points out that after the issuance of the grant, the Applicant became aware of description of the property mentioned in the schedule was incorrect. Learned Counsel invites my attention to paragraph 3 of the said Will, which sets out the correct description. It is thus to correct the description of the property the present Interim Application has been filed.

2. After having heard Learned Counsel and perused the description of the said property in the Will, I find that sufficient cause to allow the present Interim Application has been made. Hence, Interim Application is allowed in terms of prayer clause (a) and (b) which read thus:

“a. this Hon’ble Court be pleased to allow the amendments as shown in the Schedule annexed hereto as Exhibit B;

b. this Hon’ble Court be pleased to issue necessary directions to the Hon’ble Testamentary Registrar to collect the Original Grant from the Applicant/Petitioner and issue a corrected and rectified Grant in the captioned Testamentary Petition;”

3. Amendments to be carried out on or before 18th March, 2025.

4. Interim Application is accordingly disposed of. Reverification is dispensed with.

(ARIF S. DOCTOR, J.)