

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO.156 OF 2025
IN
TESTAMENTARY PETITION NO.864 OF 2020**

Martha Denzil D'silva ... Applicant

In the matter between

Denzil Bonfilius D'silva ... Deceased

Martha Denzil D'silva ... Petitioner

Mr. Devendra Rajapurkar for the Applicant.

CORAM : ARIF S. DOCTOR, J.

DATE : 12TH MARCH 2025

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1. This Court had vide an order dated 9th April 2021 granted the Applicant Probate in respect of the Last Will and Testament of one Denzil Bonfilius D'silva ('the deceased'). The grant of Probate was unopposed.

2. Learned Counsel points out that after issuance of grant, the Applicant became aware that the properties, which were described in the schedule appended to the captioned Testamentary Petition, has been incorrectly described. It is thus that the present Interim Application has been filed to correct the description of the properties in the schedule.

3. Learned Counsel has invited my attention to the schedule of amendment to submit that the nature of amendments that are sought for are formal in nature and necessitated for the purpose of effecting grant of the Probate.

4. Having due regard to the submissions made and having perused the Interim Application and the schedule of amendment, I find that the same deserves to be allowed in the interest of justice and for completeness of the grant. Thus, the same is allowed in terms of prayer clauses (b), (c) and (d), which read thus:

- "b) The Petitioner be permitted to amend the carry out the changes in the Schedule - I of the Petition, as set out in the Schedule of Amendment being Exhibit-C hereto;*
- c) Issue amended Probate upon carrying out amendment as set out in the Schedule of Amendment hereto.*
- d) The period of 6 months from the date of grant as set out in the probate be extended with such further time as this Hon'ble Court may deem appropriate."*

5. Amendment to be carried out within a period of two weeks from today.

6. Re-verification is dispensed with.
7. The Interim Application is accordingly disposed of.

(ARIF S. DOCTOR, J.)