

MJJ

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO. 918 OF 2025
IN
TESTAMENTARY PETITION NO. 4032 OF 2023**

Kirtan Deepak Shah	... Applicant
In the matter between	
Kirtan Deepak Shah	... Petitioner
Deepak Maneklal Shah	... Deceased

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Mr. Sunil Chaturvedi for the Applicant.

CORAM : Kamal Khata, J.
DATED : 16th June 2025.

P.C.:-

1. Mr. Sunil Chaturvedi, learned Counsel for the Applicant submits that pursuant to the grant of probate by this Court on 20th June 2024, the Applicant discovered that he was entitled to two additional assets namely One Covered Car Parking Space valued at ₹ 15 lakhs and Input Tax Credit valued at ₹ 6.80 lakhs more particularly described in paragraph 3 of the Interim Application. He relied upon paragraph 10 of the Interim Application to submit that the Applicant has undertaken to pay compensation to the party prejudiced by this order. He submits that the amendments

annexed as Exhibit B to the Interim Application may be granted.

2. I have considered the Interim Application alongwith the consent affidavits annexed thereto, the undertaking of the Applicant and the additional affidavit dated 6th May 2025 filed pursuant to order dated 29th April 2025.

3. In view of the explanations furnished in the Interim Application, the undertaking furnished by the Applicant and the additional affidavit, I deem it appropriate to grant the Interim Application in terms of prayer clause (a), which reads as follows:

“a. The Applicant be allowed to amend the Schedule No.I of Assets annexed to the above Petition as per the Schedule of Amendment which is annexed hereto and marked "Exhibit B" and to make consequential amendments, if any, in the above Petition and to re-declare the same and further this Hon'ble Court be pleased to direct the Prothonotary and Senior Master to issue the amended Probate to the Applicant in pursuance of such amendment.”

(Kamal Khata, J.)