

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

INTERIM APPLICATION NO. 1564 OF 2024

IN

TESTAMENTARY PETITION NO. 2113 OF 2022

Fazal Pillay Madar ...Applicant

IN THE MATTER BETWEEN

Fazal Pillay Madar ...Petitioner

Amy Homi Colabawalla ...Deceased

Ms Kimi Mhapankar, *i/b Mulla and Mulla Craigie Blunt & Caroe, for
the Applicant/Petitioner.*

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CORAM: ARIF S. DOCTOR, J
DATED: 11TH FEBRUARY 2025

PC:-

1. This Court had vide an order dated 13th June 2023 granted probate in respect of the last Will and Testament of one Amey Homi Colabawalla.

2. Ms Kimi, Learned Counsel appearing on behalf of the Applicant/ Petitioner submits that after the grant, the Applicant became aware of the fact that there were certain shares in the name of the deceased which were discovered in the apartment of the deceased and it is thus to add this in the schedule of assets of the deceased that the present Application has been filed.

3. Having heard the Learned Counsel and having perused the Interim Application, I find that a sufficient cause has been made to allow the Interim Application.

4. Hence, the Interim Application is allowed in terms of prayer clause (a), which reads thus:

"(a) This Hon'ble Court may be pleased to allow the Applicant to carry out the amendment in Schedule I of the above Petition, and by adding as Sr. No. 2A TO 2C as per the Schedule of Property annexed hereto and marked as Exhibit "B" to the Interim Application."

5. Amendments to be carried out on or before 25th February 2025, without need of re-verification.

(ARIF S. DOCTOR, J)