

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

INTERIM APPLICATION NO. 1607 OF 2024

IN

TESTAMENTARY PETITION NO. 2366 OF 2017

Parag Karan Khansaheb ...Applicant

IN THE MATTER BETWEEN

Parag Karan Khansaheb ...Petitioner

And

Karanbhai Maganlal Khansaheb alias Karan ...Deceased
Maganlal Khansahib

SHEPHALI
SANJAY
MORMARE

Digitally signed by
SHEPHALI
SANJAY
MORMARE
Date: 2025.01.03
10:04:04 +0530

Ms Deepa Hate, i/b Gajaria & Co, for the Applicant/Petitioner.

CORAM: ARIF S. DOCTOR, J

DATED: 2ND JANUARY 2025

PC:-

1. This is an Application seeking a post grant amendment to the Succession Certificate granted to the Applicant in respect of the debts and securities of Karanbhai Maganlal Khansaheb alias Karan Maganlal Khansahib ("**the deceased**") on the basis that the deceased had debts and

securities totalling to approximately Rs. 17 lakhs and odd at the time of his death.

2. By way of the present Interim Application, the Succession Certificate is sought to be amended now by contending that the Applicant has after issuance of the Succession Certificate discovered that the deceased has various securities in excess of Rs. 2 crores and odd. This Court by an order dated 24th October 2024 directed the Applicant to file an Additional Affidavit to place on record the documents to substantiate the claim for amendment in Succession Certificate. The Interim Application as filed did not set out any basis to show how the Applicant became aware of the fact that the deceased had these assets. A perusal of the Affidavit dated 24th December 2024 nowhere substantiate the claim of the Applicant but the only averment to this effect is in paragraph 5, which reads as follows:

"5. I say that I wish to place on record certain correspondence exchanged between the Registrar/Share Transfer Agent of the various companies with the Petitioner relating to the Share/Securities standing in the names of the Petitioner's late father Karan Maganlal Khansaheb that the Petitioner seeks to add in the said Schedule to the Succession a Certificate."

3. To my mind, this is clearly not a substantiation of the Applicant's claim.

4. At this stage, Ms Hate submits that the Applicant shall file more detailed Affidavit setting out as to how the Applicant became aware of

the additional assets now sought to be added to the Succession Certificate after the issuance of the same.

5. Let that Affidavit be filed on or before 23rd January 2025.
6. List the matter on 30th January 2025.

(ARIF S. DOCTOR, J)