

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

INTERIM APPLICATION NO. 2101 OF 2024

IN

TESTAMENTARY SUIT NO. 16 OF 2024

Neville Savio Edal Behram

...Applicant

In the matter between.

Clara Esmeralda Dsouza

...Plaintiff

Versus

Margaret Edal Behram alias Margaret Homi

Edal Behram

...Defendant

Adv. B. G. Saraf for the Plaintiff.

Adv. Uttam Rane for the Defendant.

CORAM : ARIF S. DOCTOR, J.

DATE : 02nd APRIL, 2025

P.C. :

1. The present Interim Application seeks impleadment of the Applicant in place of original Defendant who is stated have passed away. Learned Counsel for the Plaintiff has very fairly submits that he does not have any objection to the Interim Application. Thus, Interim Application is allowed in terms of prayer clause (a) and (b) which read thus.

- “ (a) That this Hon’ble Court be pleased to allow to carry out the amendment in the caveat filed by the Defendant (Since Deceased) as per schedule (Exhibit-B) annexed with the Interim Application.*
- (b) That this Hon’ble Court be pleased to direct the Plaintiff to carry out the amendment in the above Testamentary Petition as per schedule (Exhibit-B) annexed with the Interim Application.”*

2. Amendments to be carried out within a period of two weeks.
3. Mr. Rane, Learned Counsel points out that amendments to the Suit would have to be carried out by the Plaintiff. Learned Counsel for the Plaintiff submits that he shall take the necessary steps within a period of two weeks.
4. The present Interim Application is disposed of accordingly.
5. Parties to submit the draft issues on or before next date.
6. Stand over to 9th April, 2025 for framing issues in Testamentary Suit No. 16 of 2024.

(ARIF S. DOCTOR, J.)