

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO. 2180 OF 2024
IN
TESTAMENTARY PETITION NO. 1837 OF 2023

Taramati Dahyalal Lakhani ...Deceased

Brijesh Satish Dattani ...Applicant

In the matter of

Satish Jamnadas Dattani ...Petitioner

Mr. Vinod Singh for the Applicant.

CORAM : ARIF S. DOCTOR, J.

DATE : 5TH MARCH, 2025

P.C.:-

1. The captioned Testamentary Petition has been filed for probate of the last Will and Testament one Taramati Dahyalal Lakhani (the deceased). The Petitioner was sole Executor named under the said Will. It is pointed out that the Petitioner has passed away on 30th April, 2023. The Applicant, who is the son of the Petitioner seeks impleadment as also conversion of the Testamentary Petition from a Petition for probate to a Petition for Letters of Administration with Will. However, since the Applicant is not beneficiary under the said Will of the deceased, the question of the Applicant being allowed to apply for Letters of

Administration in respect of the said Will would not arise. Whatever rights the Applicant may have insofar as the deceased Petitioner is concerned, it is always open to the Applicant to recourse to the same.

2. Hence, Interim Application is dismissed since the Applicant does not have any locus to apply for Letters of Administration in respect of the said Will of the deceased.

(ARIF S. DOCTOR, J.)