

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO. 2794 OF 2024
IN
TESTAMENTARY PETITION NO. 2309 OF 2022**

Lalit Kumar Brijnarain Seth ...Applicant

In the matter of:

Lalit Kumar Brijnarain Seth ...Petitioner

Lata Kantilal Mehta ...Deceased

**WITH
INTERIM APPLICATION NO. 1768 OF 2024**

Mr. Jayant Wani for the Applicant.

CORAM : ARIF S. DOCTOR, J.

Date : 05th FEBRUARY 2025

P.C. :

1. Interim Application No. 1768 of 2024 is not on board. Taken on board.

2. Today the captioned Testamentary Petition has been filed for Letters of Administration with a Will annexed to the properties and credits of one late Lata Kantilal Mehta.

2. The learned Counsel for the Application points out that after the grant of the amendments. In view of certain omissions in the schedule of assets,

the Applicant took out the captioned Interim Application seeking a post grant amendment. Learned Counsel points out that this Court in fact therefore allowed the Interim Application.

3. He then point out that similarly another Interim Application namely Interim Application No. 1768 of 2024 was also filed in respect of Letters of Administration with the Will annexed to the properties and credits of one Lata Kantilal Mehta in identical circumstances to those I have indicated above. He submits that the said Interim Application was also allowed by this Court.

4. Learned Counsel submit that after the Interim Application is allowed and before the amendments could be effected, he was brought to the notice of learned Counsel for the Application that the schedule of assets appended to the Interim Application No. 2794 of 2024 i.e. Interim Application which seeks to amend the schedule of assets in the Testamentary Petition pertaining to the properties and credits of Late Kantilal Mehta was in fact pertained to the properties and credits of Kantilal Valji Mehta and similarly in the Interim Application No. 1768 of 2024 which pertained to the Letters of Administration in respect of the properties and credits of Kantilal Valji Mehta. The Schedule of assets pertaining to Testamentary Petition of Lata Kantilal

Mehta was appended. He submits that it is for the limited purpose of correcting these effecting the necessary correction by annexing the relevant schedule of assets to the relevant Interim Application that the matter is on board today.

5. Having heard learned Counsel, I find that case to permit the correct schedules to be appended to the relevant Interim Applications is made out. Hence, The Applicant is at liberty to correct the Interim Applications by appending the correct schedules.

(ARIF S. DOCTOR, J.)