

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

INTERIM APPLICATION NO. 3052 OF 2024
IN
TESTAMENTARY PETITION NO. 801 OF 2013

Jaiwant Shankar Walawalkar, ... Deceased.

Dilip Shankar Walawalkar ... Applicant

Pratiksha Koshe i/b. M/s.Divekar Bhagwat
and Co. for the Applicant.

SANJAY
KASHINATH
NANOSKAR

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SANJAY KASHINATH
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CORAM. ARIF S. DOCTOR, J.

DATE. 22 January 2025.

P.C. ,

Interim application is seeking to amend the testamentary petition which is filed for succession certificate in respect of debts and securities of one Jaiwant Shankar Walawalkar. Leaned counsel points out that it has now come to the knowledge of the Applicant that the deceased had certain bank deposits, lockers etc. and thus, submits that the petition would

have to be converted to Petition for Letters of Administraton from the Petition for Succession Certificate. The Applicant is the brother of the deceased who died without leaving behind any children.

2. Having heard the learned counsel for the Applicant and considering the averments made in the interim application, I find that a case is made out to allow this interim application. Hence it is allowed in terms of prayer clause (a) which reads thus:

(a) that the Petitioner be permitted to correct / amend the above Petition; to rectify the mistakes; delete certain securities; and to add certain movable assets in the above Petition as well as to replace the Schedule of Debts and Securities annexed to the above Petition with complete particulars and carry out other consequential amendments in terms of the Exhibit "A" Schedule of Amendment annexed hereto"

3. Amendment to be carried out within two weeks from today.

(ARIF S. DOCTOR, J.)