

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

**INTERIM APPLICATION NO.3116 OF 2024
IN
TESTAMENTARY PETITION NO.1134 OF 2022**

Elaine Edward Rozario ... Applicant

In the matter between

Sheldon Victor Herber Pereira ... Deceased

Elaine Edward Rozario ... Petitioner

Adv. Malcolm Vaz i/by Sanjay Rego for the Applicant.

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CORAM : ARIF S. DOCTOR, J.

DATE : 26TH FEBRUARY 2025

P.C. :

1. This Court had vide an order dated 15th April 2023 granted the Applicant Letters of Administration in respect of the property and credits of one Sheldon Victor Herber Pereira ('the deceased').

2. Learned Counsel appearing on behalf of the Applicant submits that after the issuance of grant, the Applicant became aware of certain inadvertent errors in the schedule of assets, that was appended to the Testamentary Petition.

3. Since the Interim Application did not set out the basis on which the Applicant became aware of these errors, this Court had vide an order dated 12th February 2025 directed the Applicant to file an Affidavit pointing out as to how this fact came to the knowledge of the Applicant only after the grant. Today Learned Counsel for the Applicant has tendered an Affidavit dated 25th February 2025 in which the requisite details have been set out, more particularly in Paragraphs 2 and 3 of the said Affidavit.

4. I have perused the said Affidavit and I am satisfied that the Interim Application deserves to be allowed and thus the same is allowed in terms of prayer clauses (a) and (b), which read thus:

*“(a) that delay, if any in taking out this Interim Application be condoned;
and*

(b) that this Hon'ble Court be pleased to permit the Applicant to amend the Schedule No. I to the Petition in terms of Schedule annexed hereto) and accordingly order and direct the Prothonotary and Senior Master, High Court Bombay to amend the Schedule to the Original Grant as per Exh. 'B' is annexed hereto and consequential amendments be allowed to be carried out annexed in the Schedule;”

5. Amendments to be carried out within a period of two weeks from today.

6. Re-verification is dispensed with.
7. Interim Application is accordingly disposed of.

(ARIF S. DOCTOR, J.)