

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
INTERIM APPLICATION NO. 3332 OF 2024
IN
TESTAMENTARY PETITION NO. 1584 OF 2018

Pramod Raoji Gandhi & Ors.

...Applicants

Sheela Raoji Gandhi

... Deceased

Ms. Sneha Pandey i/by Vishal Kurtukade for the Applicants.

CORAM : ARIF S. DOCTOR, J.

DATE : 9TH JANUARY, 2025

P.C.:-

1. The present Interim Application seeks amendment to the schedule annexed to the captioned Testamentary Petition. This Court had vide an order dated 29th May, 2019 granted the Applicant a Succession Certificate in respect of debts and securities belonging to one Sheela Raoji Gandhi.

2. Learned Counsel for the Applicant submits that after the order was passed and Succession Certificate was granted, the Applicant became aware from the share transfer agent of Sudarshan Chemical Industries Limited that the face value of the shares had changed and thus this change would have to be reflected in the schedule. It is thus the present Application is filed.

3. Having heard Learned Counsel, I find that sufficient cause has been shown to allow the Interim Application. The Interim Application is therefore allowed in terms of prayer clause (a) which reads thus:

“(a) That the Applicant be permitted to amend the Schedule of Securities annexed as Ex. "E" to the above Petition by incorporating the correct Face Value of the Shares of Sudarshan Chemical Industries Limited, Indian Hume Pipe Company Limited and Drillco metal carbides Limited as mentioned in the Schedule of Amendment Exhibit "F" hereto and Office be directed to issue duly amended Succession Certificate dt. 29th May 2019 to the Applicant. The Petitioner state's that they were not aware of legal proceedings and have been able to collect the required information regarding the assets recently. Hence, the delay days of 1750 days in filing this petition may be condoned.”

4. Learned Counsel submits that the change sought for is only restricted to Sudarshan Chemical Industries Limited and Indian Hume Pipe Company Limited. Learned Counsel also submits that the prayer clause inadvertently mentions Exhibit-D, whereas the same should be Exhibit-F. She is permitted to make the necessary corrections in the Interim Application.

5. Interim Application is accordingly disposed of.

(ARIF S. DOCTOR, J.)