

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

INTERIM APPLICATION NO. 3499 OF 2024

IN

TESTAMENTARY PETITION (L) NO. 11546 OF 2024

Isshaa Mahmood nee Reena Pande. ... Applicant

In the matter between

Kanti Ballabh Pande. ... Deceased.

Nandita Kanti Ballabh Pande. ... Petitioner.

Radhika Kulkarni i/b. Dave and Co. for the Applicant.

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CORAM: ARIF S. DOCTOR, J.

DATE: 22 January 2025.

P.C. :

The interim application seeks amendment to the captioned testamentary petition which has been filed for probate of last will of the deceased one Nandita Kanti Ballabh Pande. Learned counsel points out that since the original Petitioner who was one of the executors passed away and the other executor has also passed away, the present application has been filed to convert the Testamentary Petition from Probate Petition to the Petition for

Letter of Administration of the captioned will annexed. The Applicant is the daughter of the deceased and in this capacity has filed the present application.

2. Having heard the learned counsel for the Applicant and after considering the averments made in the application, I find that sufficient cause has been shown to allow the application as prayed for. Hence, interim application is allowed in terms of prayer clauses (a) and (b) which read thus:

- a) That this Hon'ble Court be pleased to allow the Application of the Applicant/Petitioner;
- b) That leave be granted to the Applicant to amend the Testamentary Petition bearing no. (L) 11546 OF 2024 from Petition for Grant of Probate to the Petition for Letters of Administration with Will and amend the Petition in terms of schedule annexed at Exhibit E and other consequential amendments, if any;

3. Amendment to be carried out within three weeks.

(ARIF S. DOCTOR, J.)