

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

INTERIM APPLICATION NO. 3646 OF 2024
IN
TESTAMENTARY PETITION NO. 4640 OF 2024

Shri Hemant Dinesh Chaudhry.	...	Applicant
Umadevi Dinesh Chaudhry.	...	Deceased.
Shri Hemant Dinesh Chaudhry.	...	Petitioner.

R.P.Ojha i/b. R.K.Dubey for the Applicant.

SANJAY
KASHINATH
NANOSKAR

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CORAM: **ARIF S. DOCTOR, J.**
DATE: **22 January 2025.**

P.C. :

The present interim application seeks substitution of the Petitioner. Learned counsel points out that the captioned Testamentary Petition is filed for Letters of Administration with the will annexed of one Smt.Umadevi Dinesh Chaudhry, the deceased. Learned counsel points out that the Petitioner is the sone of the deceased who has filed the present interim application seeking to implead the father Mr.Dinesh Trilokchand Chaudhry in place and state of the Petitioner pursuant to the last order passed. Learned

counsel for the Applicant today has filed an affidavit of Mr.Dinesh Trilokchand Chaudhry in which he, *inter alia*, stated as follows:

“3. I say that the Petitioner, in order to avoid any dispute between the brother and sister i.e. the son and daughter of the deceased, has made an application for substituting me as petitioner in place of the Applicant (Original Petitioner) by deleting the name of the original petitioner.

4. I say that I do not have any objection for being petitioner in the above petition in place of the Applicant (Original Petitioner). I hereby accord my consent for allowing the Interim application No. 3646 of 2024.”

2. Having due regard to the submission as also the fact that the said Dinesh Trilokchand Chaudhry has consented for the substitution, the interim application allowed in terms of prayer clauses (a) and (b) which read as follows:

a) That the Hon'ble Court be pleased to allow the present applicant to carry out amendment in the present petition by substituting Mr. Dinesh Trilokchand Chaudhry as petitioner in place of the Applicant (Original Petitioner) by deleting the name of the Original petitioner.

b) The court fees paid by the Applicant (Original Petitioner) be treated as paid by the newly substituted Petitioner.

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

(ARIF S. DOCTOR, J.)