

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 3589 OF 2025

IN

TESTAMENTARY SUIT NO.22 OF 2016

Prakash Chandrakant Merchande Applicant

VERSUS

Vishakha Chandrakant Merchande Respondent

Ms.Gauri Sawant for the Applicant and Plaintiff.

Ms.Suchita Suresh Karkera, Respondent NO.4 present in person in IA No.3589/2025.

CORAM : RAJESH S. PATIL, J.

DATE : 24 SEPTEMBER, 2025

P.C. :-

1) A praecipe has been moved since there was a typographical error on the part of the Advocate appearing on behalf of the Plaintiff in Interim Application No.3589 of 2025. This Interim Application was filed to bring on record the legal heirs of deceased Defendant No.3. The Applicant is the brother of deceased Defendant No.3. Inadvertently, in the prayer cl.(a) of the Interim Application the word 'suit' was missing after the words 'Respondent No.3 in'.

2) Ms. Gauri Sawant for the Applicant submits that though the Interim Application was allowed by order dated 30 July 2025 and though the Court allowed the Applicant/Plaintiff to amend the proceedings by bringing on record the legal heirs as the Interim Application was filed within time, however, as there was inadvertent mistake of not inserting the word 'Suit' in the prayer clause (a) the Registry is not permitting the Applicant to carry out the amendment in the Plaint.

3) Having heard Ms.Gauri Sawant and since there appears to be no opposition from Respondent No.4 Suchita Karkera , who is present in the Court, the Applicant is permitted to carry out amendment as allowed by order dated 30 July, 2025 by impleading the legal heirs of deceased Respondent No.3 in the cause title of Testamentary Suit No.22 of 2016.

4. Amendment to be carried out within a period of two weeks from today.

5. Praecipe stands disposed off.

[RAJESH S. PATIL, J.]