

HARSHADA H. SAWANT
(P.A.)

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

INTERIM APPLICATION NO. 7769 OF 2025

IN

PETITION NO. 4952 OF 2024

Rukhsana Abbas Shaikh

Applicant / Orig.
.. Petitioner

IN THE MATTER BETWEEN:

Abbas Imam Shaikh

.. Deceased

Rukhsana Abbas Shaikh

.. Petitioner

- Mr. Fahad Ahmed Shaikh i/b Shaikh Mohammed Mazher,
Advocates for Applicant / Petitioner.

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 06, 2026.

P.C.:

1. Not on Board. Mentioned by way of filing praecipe dated 06.04.2026. Perused the praecipe.

2. Heard Mr. Shaikh, learned Advocate for Applicant / Petitioner.

3. Present Testamentary Petition is filed by Petitioner for issuance of Succession Certificate in respect of properties and credits of deceased Late Shri Abbas Imam Shaikh.

4. Mr. Shaikh would submit that due to inadvertence, names of legal heirs of the predeceased daughter i.e. Mrs. Azra Kamil Patel were not mentioned in the list of heirs in the Petition. The predeceased

daughter, Mrs. Azra Kalim Patel was survived by her legal heirs, Mr. Nawaz Kamil Patel and Mrs. Tanzim Yusuf Khatik, who are required to be brought on record. He would therefore seek leave of this Court to amend the captioned Testamentary Petition as per the Schedule appended at Exhibit "A" to the Application, to bring on record names of the legal heirs of the predeceased daughter, Mrs. Azra Kamil Patel. I have perused the same. For the reasons mentioned in the Interim Application, there can be no impediment in allowing the amendment.

5. Department will allow the necessary amendment to be carried out in the original Petition within a period of two weeks from today. Re-verification stands dispensed with.

6. After the amendment is carried out, Testamentary Department to proceed with the Testamentary Petition in accordance with law.

7. With the above directions, Interim Application is allowed and disposed of.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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