

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

TESTAMENTARY SUIT NO. 5 OF 2005

IN

TESTAMENTARY PETITION NO. 226 OF 2004

Cecilia Remynold Dsouza and Ors.

... Plaintiffs

V/s.

Mrs. Rubey Cyril D'souza and Ors.

... Defendants

WITH

INTERIM APPLICATION (L) NO. 8190 OF 2026

IN

TESTAMENTARY SUIT NO. 5 OF 2005

Mr. Siddharth Singh i/b Mr. Ashok M. Saraogi for Plaintiffs.

Ms. Nameeta Mestry (through VC) for Defendants.

CORAM : FARHAN P. DUBASH, J.

Date : 11th March 2026

P. C :

INTERIM APPLICATION (L) NO. 8190 OF 2026

1. The present Interim Application has been preferred by the Applicant/original Plaintiff no. 1, who seeks to delete the name of Defendant no. 4, who is stated to have expired on 26th January 2026 and implead her heirs and legal representatives as party Defendant nos. 4(a), 4(b) and 4(c).

2. By consent, the present Interim Application is allowed.

3. The Applicant is permitted to carry out the amendment in terms of the Schedule annexed to the Interim Application by deleting the name of

Defendant no. 4 and adding the name of Respondent nos. 1, 2 and 3 as party Defendant nos. 4(a), 4(b) and 4(c) respectively.

4. This amendment shall be carried out, on or before 18th March 2026 and a copy of the amended Testamentary Suit shall thereafter be served on all the parties along with the newly added parties, on or before 30th March 2026 and an Affidavit-of-Service evincing service on all the parties shall thereafter be filed.

5. Stand over to 15th April 2026 for further consideration.

6. Interim Application is disposed of in terms of the above order with no order as to costs.

(FARHAN P. DUBASH, J.)

Shubham Gadhavepatil