

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

INTERIM APPLICATION (L) NO. 2756 OF 2026
IN
INTERIM APPLICATION NO. 3649 OF 2024

Balkumar Chandulal Mehta

... Applicant

V/s.

Yogesh C. Maniyar & Anr.

... Respondents

WITH
TESTAMENTARY SUIT NO. 22 OF 1990
IN
TESTAMENTARY PETITION NO. 509 OF 1989
WITH
IN PERSON APPLICATION (L) NO. 15980 OF 2023
IN
TESTAMENTARY SUIT NO. 22 OF 1990
WITH
INTERIM APPLICATION (L) NO. 10615 OF 2023
IN
TESTAMENTARY SUIT NO. 136 OF 2015
WITH
IN PERSON APPLICATION (L) NO. 15892 OF 2023
IN
INTERIM APPLICATION (L) NO. 10615 OF 2023
WITH
INTERIM APPLICATION NO. 3649 OF 2024
IN
TESTAMENTARY SUIT NO. 136 OF 2015
WITH
TESTAMENTARY SUIT NO. 136 OF 2015
IN
TESTAMENTARY PETITION NO. 181 OF 1990
WITH
CONTEMPT PETITION NO. 2 OF 2018
IN
TESTAMENTARY SUIT NO. 136 OF 2015
WITH
IN PERSON APPLICATION (L) NO. 20499 OF 2023
IN
TESTAMENTARY SUIT NO. 136 OF 2015

WITH
NOTICE OF MOTION NO. 2 OF 2019
IN
TESTAMENTARY SUIT NO. 136 OF 2015
WITH
IN PERSON APPLICATION (L) NO. 16083 OF 2023
IN
CONTEMPT PETITION NO. 2 OF 2018
WITH
IN PERSON APPLICATION (L) NO. 16990 OF 2023
IN
NOTICE OF MOTION NO. 2 OF 2019

Mr. Balkumar C. Mehta, Plaintiff in TS/136/2015 & Defendant in TS/22/1990 & Applicant in IAL/2756/2026, party in person present in Court.

Mr. Rajesh Shah, with Mr. Amit Tungare, Ms. Akshata Katara, i/b Asahi legal for Defendant nos 1 & 2 in TS/136/2015 & Plaintiff in TS/22/1990.

Mr. Himanshu B. Takke, AGP for the Respondent no. 3-State.

CORAM : FARHAN P. DUBASH, J.

DATE : 10th MARCH 2026

P. C.:

INTERIM APPLICATION (L) NO. 2756 OF 2026

1. This Interim Application has been preferred by the Applicant who seeks to amend an earlier Interim Application viz., Interim Application no. 3649 of 2024. I have heard both the parties and also perused the pleadings. For the reasons set out therein, I am satisfied that the Applicant is required to be permitted to amend Interim Application no. 3649 of 2024.

However, all rights and contentions of the parties with regard to the substantive merits and contents of the amendment are expressly kept open. The Applicant shall carry out the amendment in Interim Application no. 3649 of 2024 on or before 17th March 2026 and thereafter serve a copy of the amended Interim Application on the other side immediately.

2. The Defendant shall thereafter put in his reply to the amended Interim Application which shall be filed and served on or before 1st April 2026. Rejoinder, if any, shall be filed and served on or before 8th April 2026.

3. The Registry shall permit the following amendment to be made in Interim Application no. 3649 of 2024:-

(i) Insertion of paragraph nos. 12, 13 and 14 as more particularly contained on pages 41-48 of Exhibit 'B' to the present Interim Application.

(ii) Original paragraph no. 12 shall be renumbered as paragraph no. 15.

(iii) Deletion of original prayer clauses (a), (b), (c) and (d) and replacing them with prayer clauses (a), (b), (c), (d), (e), (f) and (g) as more particularly set out on pages 49-51 of the present Interim Application.

4. The Interim Application (L) no. 2756 of 2026 is disposed of in the above terms with no order as to costs.

5. Place Interim Application no. 3649 of 2024 along with the above listed matters for consideration on 15th April 2026.

(FARHAN P. DUBASH, J.)

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