

IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY AND INTESTATE JURISDICTION
ORIGINAL SIDE

PLA/65/2020

IN THE GOODS OF:
MOHAN LAL DHELIA, DECEASED

BEFORE :
THE HON'BLE JUSTICE KRISHNA RAO
Date : 22nd November, 2022

Appearance:
Mr. Rishabh Karnani, Adv.
Mr. Anurag Bagaria, Adv.
...for the petitioner.

The Court : Counsel for the petitioner is present. It is submitted that the petitioner has filed the instant application for grant of probate in connection with the last Will and Testament dated 6th October, 2019 executed by the testator Mohan Lal Dhelia in favour of his grandson Ankush Dhelia. Mohan Lal Dhelia died on 20th November, 2019 leaving behind his son Pradeep Kumar Dhelia. The wife of the testator was predeceased to the testator. The son of the testator has filed affidavit of consent stating that he has no objection for grant of probate in favour of the petitioner in respect of the last Will and Testament dated 6th October, 2019.

Navin Kumar Jain and Narayan Dhelia, being the attesting witnesses of the said last Will and Testament, have filed their respective affidavits stating the fact that as per request of Mohan Lal Dhelia they were present at the time of execution of the Will and in their presence, the deceased Mohan Lal Dhelia executed the Will in favour of his grandson and while execution of the said Will, the testator Mohan Lal Dhelia was in sound state of body, mind and memory.

Considering the application, the Will, affidavit of consent, affidavit filed by the attesting witnesses, this Court finds that there is no suspicious circumstances to decline for grant of probate to the petitioner in terms of the last Will and Testament of the testator Mohan Lal Dhelia.

Accordingly, prayer (a) of the probate application is granted.

The Department is directed to issue probate after completion of all formalities and while granting the probate, Will may be annexed to the said probate.

Thus, PLA/65/2020 stands disposed of.

(KRISHNA RAO, J.)

