

PLA/26/2022
IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY AND INTESTATE JURISDICTION

IN THE GOODS OF:
JAYSREE BANERJEE, DECEASED

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 23 November, 2023.

Appearance:
Mr. Anirban Pramanick, Adv.
Mr. Punarbasu Nath, Adv.
For the petitioner.

The Court :-This is an application for grant of probate of the last Will and Testament dated 3rd April, 2014 left behind by the abovenamed deceased.

The husband of the testatrix predeceased her. The only son and one of the daughters are respectively the executor and executrix. The only other legal heir being the grandson, namely, Debayudh Bhattacharya, son of the predeceased daughter has consented to the grant.

The affidavit affirmed by Debayudh Bhattacharya on 23rd October, 2023 before the Notary Public along with apostille certificate of New Jersey filed in Court is taken on record.

It appears from the said affidavit that Debayudh Bhattacharya the son of Chandrayee Bhattacharya being the pre-deceased daughter of the testatrix was a minor when the consent on his behalf was granted by his father on 24th December, 2021. At the time of grant Debayudh Bhattacharya has become

major and as such ratification of the consent granted by his father when he was a minor is necessary. By the affidavit Debayudh Bhattacharya has consented to the grant. The Will has been proved in common form by the affidavit of the attesting witness.

Considering the view of the department upon complete scrutiny, the application for grant of probate is allowed by granting order in terms of prayer (a) of the petition.

The petition for grant of probate stands disposed of, accordingly.

(ARINDAM MUKHERJEE, J.)