

PLA/112/2021
IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY AND INTESTATE JURISDICTION

IN THE GOODS OF:
SRI AMIYA RANJAN MUKHERJEE, DECEASED

BEFORE:
The Hon'ble JUSTICE ARINDAM MUKHERJEE
Date: 31st August, 2023.

Appearance:
Mr. Rabi Ghosh, Adv.

The Court :- This is an application for grant of probate of the last Will and Testament dated 6th February, 2011 left behind by the abovenamed deceased.

A supplementary affidavit affirmed on 17th August, 2023 filed in Court today is taken on record. By way of such supplementary affidavit the applicant for the grant of probate has attempted to explain the delay in filing the probate petition. The testator had died on 12th June, 2012 while the application for grant has been filed in the year 2021. There is as such a gap about nine years between the death of the testator and the date of making application. Although, by a supplementary affidavit the original pleadings cannot be amended yet considering the matter to be a non contentious cause where the department has issued a no caveat certificate, this Court does not intend to go into the technicalities. The Will has been proved in common form by the

affidavit of the attesting witness. The delay in filing the application is explained.

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

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

(ARINDAM MUKHERJEE, J.)