

OD-3

ORDER SHEET

PLA/97/2011

IN THE HIGH COURT AT CALCUTTA
Testamentary and Intestate Jurisdiction
ORIGINAL SIDE

IN THE GOODS OF:
SMT. INDRO DEVI PRASRAMPURIA, DECEASED

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : July 27, 2023.

Appearance :

Mr. Pranit Bag, Adv.
Mr. Debdutta Saha, Adv.
Mr. A.K. Dey, Adv.
Mr. Bhaskarmoy Dey, Adv.
Mr. Vineet Ojha, Adv.
... for the applicant

The Court: Counsel for the petitioner is present.

The petitioner has filed the present application for grant of probate of the last Will and Testament dated 15th September, 2010 executed by the testatrix Smt. Indro Devi Parasrampuriah.

Counsel for the petitioner submits that the husband of the testatrix was predeceased to her. The testatrix died leaving behind the petitioner being the son and one daughter Smt. Usha Devi Chowdhury. The daughter of the testatrix has filed her affidavit of consent stating that the testatrix has executed the Will in favour of the petitioner and she has no objection for grant of probate to the petitioner. There are two attesting witnesses in the Will, out of which one of the attesting witnesses, namely, Biswanath Agarwal has also filed his affidavit stating that the testatrix

has executed her last Will and Testament in his presence and in presence of the other witness by appointing the petitioner as executor of the Will while possessing good health and fit state of mind. Counsel for the petitioner prays for grant of probate in favour of the petitioner in terms of the last Will and Testament dated 15th September, 2010.

Considered the prayer made by the counsel for the petitioner. Perused the application, original Will, death certificate of the testatrix, affidavit of consent of the daughter and the affidavit of the attesting witness.

This Court finds that the petitioner has proved the case for grant of probate and there is no suspicious circumstance over the last Will and Testament dated 15th September, 2010. Considering the above, this Court finds that the petitioner is entitled to get probate of the said Will.

Accordingly, prayer (a) of the application being PLA/97/2011 is allowed subject to compliance of all necessary formalities. At the time of grant of probate, the copy of the Will be made part of the probate.

PLA/97/2011 is thus disposed of.

(KRISHNA RAO, J.)