

PLA/201/2022
IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY AND INTESTATE JURISDICTION

IN THE GOODS OF:
SAJAL BANERJEE ALIAS SAJAL KUMAR BANERJEE, DECEASED

BEFORE:
The Hon'ble JUSTICE ARINDAM MUKHERJEE
Date: 10th August, 2023.

Appearance:
Mr. Jayanta Sengupta, Adv.
Mr. Shayak Mitra, Adv.
Mr. Abhijit Sarkar, Adv.
For the petitioner.

The Court :- This is an application for grant of probate of the last Will and Testament dated 23rd February, 1988 left behind by the abovenamed deceased.

Pursuant to citation, there was no objection to the grant and as such a no caveat certificate was issued by the Department. At this stage, when the matter appeared as non-contentious cause for grant of Probate one of the daughters of the testator, namely, Rusa Banerjee appeared by filing an application and prayed for service of a copy of the application for grant to enable her to consider as to whether she would object or support the grant. Subsequently, the said Rusa Banerjee submitted before this Court that she on perusal of the application, is not interested to object to the grant as recorded in the order dated 8th August, 2023 passed in her application being IA No. GA 1 of 2023 being an application made by Rusa Banerjee.

In view of the aforesaid, at the present there is no objection and as such no embargo in granting the probate to the Will being the subject matter of the petition in PLA No. 201 of 2022 as a non-contentious cause upon the Will having been proved in common form.

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

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

(ARINDAM MUKHERJEE, J.)