

M/L 141
25.9.2024
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO 559 of 2024

Sri Arabinda Pal

Vs.

Sri Ranjan Kumar Pal & Ors.

Mr. Tanmoy Mukherjee
Mr. Shohan Sanyal
Mr. Soumava Santra

...for the Petitioner.

The petitioner having a caveatable interest was cited in a proceeding for grant of probate of the alleged last will and testament of one, *Pramatha Nath Pal*.

On the objection of the petitioner to the prayer for grant, the proceeding has become contentious and is pending before the 2nd Court of learned Additional District Judge at Contai, District: Purba Medinipur being *Other Suit No.04 of 2016*.

The learned Trial Judge by order no.105 dated September 29, 2023 has refused the prayer of the petitioner for amendment of the written objection filed by him in the said proceeding.

The petitioner by the proposed amendment wanted to bring averments in his Written Objection raising dispute with regard to the honesty and integrity of the executor; the learned Trial Judge has rightly held that the proceeding for grant of probate is confined to ascertain the genuinity of the will and has rejected the proposed amendment as irrelevant.

This Court does not find any illegality or infirmity in the said findings of the learned Trial Judge warranting interference with the order impugned.

CO 559 of 2024 is therefore dismissed without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance of all requisite formalities.

(Biswajit Basu, J.)