

OD-4

ORDER SHEET

IA No.GA/1/2025
IN
PLA/13/2023
IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY & INTESTATE JURISDICTION

IN THE GOODS OF :
KUMAR KANTI BAGCHI, DECEASED

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 14th May, 2025.

Mr. Satrajeet Sen, Mr. Anirban Pramanick, Ms.
Bhagyasree Dey, Advocates for the petitioner.

The Court: In an application for letters of administration being PLA 13 of 2023, the letters of administration was granted by an order dated 26th April, 2024. The application for grant of letters of administration, therefore, stood disposed of. The letter of administration has, however, been issued to the administrator.

This application has been made by the administrator who obtained the grant through his constituted attorney for amendment of the affidavit of assets. It is submitted by the applicant that in the affidavit of assets filed in PLA 13 of 2023 the bank account maintained with Axis Bank Limited, Mahamayatala Branch of the deceased was inadvertently typed as "9160100689803" instead

of “916010068980358”. 50% money lying in SBI Kamalgazi Branch in five separate accounts respectively being account nos.11141412887, 11141326736, 32408385901, 32925013966 and 33442765565 being of Rs.5,52,429.55, 3,44,678.40, 1,95,000.00, 1,50,012.00 and 2,08,000.00 were not included in the list. The applicant wants to correct the bank account number and include the amounts in the five bank accounts as aforesaid in the affidavit of assets by way of amendment.

The letters of administration was obtained without any objection. No one has also come forth to object to the grant after the same was ordered on 26th April, 2024. The amendments appear to be formal in nature as the administrator was not aware of the five bank accounts as aforesaid to form part of the estate. The correction of bank account number in the other proposed amendment is also formal in nature. The amendments will not change the nature and character of the application but only increase the asset value of the estate in respect whereof letters of administration has been granted. The applicant has also sought for amendment of the main application being PLA 13 of 2023 by correcting the valuation stated therein. The proposed amendments, if allowed will assist in complete administration of the estate.

The proposed amendments as shown in red ink in a copy of the application for grant of letters of administration being Annexure ‘C’ to this application and those shown in the affidavit of assets which also form part of Annexure ‘C’ to this application are allowed, subject to the administrator re-verifying and re-affirming the same on the amendment being carried out by the

department instead of being re-affirmed and re-verified by the constituted attorney. Let the amendment be carried out by the department by 15th July, 2025. The applicant shall co-operate with the department in carrying out the amendments. Once the petition is re-verified and the affidavit of assets is re-affirmed, the department shall place the application for letters of administration being PLA 13 of 2023 before the appropriate Bench as the amount of bond and the number of surety are likely to increase with the increase in the value of the assets of the estate.

Till the amendments and further directions being given by this Court on the application being placed before the Court, the administrator and/or his power of attorney should not act on the basis of the letters of administration granted in terms of the order dated 26th April, 2024.

The application being GA 1 of 2025 is, accordingly, disposed of.

(ARINDAM MUKHERJEE, J.)