

OD-8

IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY & INTESTATE JURISDICTION
ORIGINAL SIDE

PLA/43/2023
IN THE GOODS OF:
MANINDRA CHANDRA PODDAR (DEC)

BEFORE:
The Hon'ble JUSTICE BIVAS PATTANAYAK
Date : 23rd August, 2024.

Mr. Soumya Ray, Adv.
Ms. Anwesh Saha, Adv.
Mr. Pramit Panda, Adv.
...for petitioner.

The Court : This matter is placed at the instance of Registrar-in-Insolvency.

Learned advocate for the petitioner submits that the certified copy of the Will has been duly proved in solemn form and as such orders be passed for grant of probate.

On 25th April, 2024, the petitioner undertook to prove the certified copy of the Will in solemn form. In compliance thereof, the petitioner examined Ms. Madhumita Ghosh, one of the attesting witnesses and Mr. Soumitra Poddar, executor in the Will. The attesting witness identified the signature of the testator as well as her signature in the Will. The original Will has been stated to be lost/misplaced and such fact has also been deposed by the executor.

In view of the above, let there be an order in terms of prayers [a] and [b] of the petition.

The petitioner is directed to furnish an undertaking to file the original Will as and when the same is found or traced out.

Learned advocate for the petitioner submits for return of the original death certificate of Manindra Chandra Poddar, Exhibit A and Uma Poddar, Exhibit-C.

Let such original death certificates be returned upon replacing the same with certified copy and with an undertaking to produce the same as and when is called for by this Court.

The petition stands disposed of.

(BIVAS PATTANAYAK, J.)

nm.