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

PLA/593/2022
IN THE GOODS OF :
RENUKA MUKHERJEE (DEC)

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

Mr. Anis Datta Sarma, Adv.
Mr. Sayan Ganguly, Adv.
...for petitioner.
Mr. Arnab Mukherjee, Adv.
Ms. Shreyasi Manna, Adv.
..for daughter of the testatrix.

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

By order dated 22nd May, 2024, the certified copy of the Will was directed to be proved in solemn form since the original Will could not be traced or found out.

In compliance to order of this Court, the attesting witness Dr. Siddhartha Samanta was examined, who identified the certified copy of the Will dated 9th August, 2014 as well the signatures of the testatrix Mrs. Renuka Mukherjee, his signature and the signature of another attesting witness viz Asimananda Kundu in the Will. It is stated in the petition that the original registered Will is misplaced which is also deposed by the executor Dr. Partha Mukherjee.

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

Mr. Arnab Mukherjee, learned advocate appearing for the daughter of the deceased testatrix submits that his client has no objection if the probate is granted in favour of the petitioner.

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

The petitioner is directed to furnish an undertaking that upon the Original Will being found or traced out the same would be filed in Court.

The petition stands disposed of.

(BIVAS PATTANAYAK, J.)

nm.