

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA  
Testamentary and Intestate Jurisdiction  
ORIGINAL SIDE

PLA/214/2024

IN THE GOODS OF :  
SMT LAKSHMI SHARMA ALIAS RANI SHARMA, DECEASED

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : 6<sup>th</sup> February, 2025.

Appearance:

*Mr. Pradip Kumar Sarawagi, Adv.*

*...for the petitioner*

The Court:- Mr. Pradip Kumar Sarawagi, learned Advocate is appearing for the petitioner.

The petitioner has filed the present application for grant of probate of the last Will and Testament dated 19<sup>th</sup> January, 2022 of the testatrix Smt. Lakshmi Sharma alias Rani Sharma.

Counsel for the petitioner has submitted that the testatrix has executed her last Will and Testament on 19<sup>th</sup> January, 2022 in presence of two attesting witnesses while possessing good health and fit state of mind by appointing the petitioner as sole executrix.

Counsel for the petitioner has submitted that the testatrix died on 9<sup>th</sup> September, 2023 leaving behind his four legal heirs i.e. husband and three daughters and out of three daughters, one daughter is the petitioner before this Court. The husband and the other legal heirs have given their consent stating that they have no objection for grant of probate to the petitioner. The petitioner further submitted that both the attesting witnesses have also filed their affidavit stating that the testatrix has executed her last Will and

Testament in their presence while possessing good health and fit state of mind by appointing the petitioner as sole executrix.

Heard learned Counsel for the petitioner. Perused the original Will, death certificate of the testatrix and affidavit of consent of all the legal heirs and affidavit of both the attesting witnesses.

This Court finds that all the legal heirs have categorically stated that they have no objection for grant of probate and the attesting witnesses in their affidavits have categorically stated that the testatrix has executed her last Will and Testament in their presence while possessing good health and fit state of mind by appointing the petitioner as sole executrix of her last Will and Testament.

Considering the above, this Court finds that the petitioner has proved the Will and is entitled to get the probate.

Department is directed to issue probate of last Will and Testament dated 19<sup>th</sup> January, 2022 on compliance of all formalities.

At the time of grant of probate, the copy of the Will be made as part of the probate.

PLA/214/2024 is disposed of.

(KRISHNA RAO, J.)