

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY AND INTESTATE JURISDICTION
ORIGINAL SIDE

PLA/158/2023

IN THE GOODS OF –
ALOKLATA HAZRA, DECEASED

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date: 28th January, 2025.

Appearance:

Mr. Supratik Shyamal, Adv.

Ms. Sonali Ghosh Basu, Adv.

...for the petitioner.

The Court : Mr. Supratik Shyamal, learned Advocate, is appearing for the petitioner.

The petitioner has filed the supplementary affidavit disclosing the document issued by the Joint Commissioner of Revenue and District Sub-Registrar-II, Howrah certifying that the instrument of Will bearing 48 of 2020 was duly registered in book No. 3 in the office of Joint Commissioner of Revenue and District Sub-Registrar-II, Howrah on 24th August, 2020. Let the supplementary affidavit be kept with the record.

The petitioner has filed the present application for grant of probate of the last Will and Testament dated 14th August, 2020 of the executrix Alokata Hazra. Petitioner submits that the testatrix has executed her last Will and Testament while possessing good health and fit state of mind by appointing the petitioner as sole executrix of her last Will in presence of two attesting witnesses. The testatrix died on 14th June, 2022 and her husband

was predeceased to the testatrix. The testatrix died leaving behind two daughters. One is the petitioner herein and another daughter, namely, Smt. Bulbul Maji who is also the attesting witness of the said Will. Another daughter Bulbul Maji has filed her affidavit stating that she has no objection for grant of probate and she has also stated that the testatrix has executed her last Will and Testament in her presence while possessing good health and fit state of mind by appointing the petitioner as sole executrix of her last Will and Testament.

Heard learned counsel for the petitioner and perused the original Will, death certificate of the testatrix and affidavit of consent of the legal heirs as well as affidavit of the attesting witness.

This Court finds that the petitioner has proved the Will and is entitled to get the probate.

The Department is directed to issue probate of the last Will and Testament dated 14th August, 2020 on compliance of all formalities.

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

Accordingly, PLA No. 158 of 2023 is disposed of.

(KRISHNA RAO, J.)