

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

PLA/277/2024

IN THE GOODS OF:
MAYA BANERJEE (DEC.)

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date: 24th March, 2025.

Appearance:

Ms. Gargi Goswami, Adv.
Mr. Sourav Guchhait, Adv.
...for the petitioner.

1. Ms. Gargi Goswami, learned counsel, is appearing for the petitioner.
2. The petitioner has filed the present application for grant of probate of the last Will and Testament dated 8th December, 2017 of the testatrix Maya Banerjee.
3. Counsel for the petitioner submits that the testatrix has executed her last Will and Testament in presence of two attesting witnesses by appointing the petitioner as sole executrix of her last Will and Testament.
4. The testatrix died on 3rd May, 2024 leaving behind two daughters, out of whom the petitioner herein is one daughter and another daughter has given her affidavit of consent stating that she has no objection for grant of probate to the petitioner.
5. One attesting witness has also filed his affidavit stating that the testatrix has executed her last Will and Testament in his presence and in the presence of another attesting witness while possessing

good health and fit state of mind by appointing the petitioner as sole executrix of her last Will and Testament.

6. Considered the submissions made by the counsel for the petitioner and perused the original Will, death certificate of the testatrix, affidavit of consent of the daughter Mridul Biswas and the affidavit of the attesting witness namely, Sunandan Basu.
7. Considering the above, this Court finds that another daughter has stated in her affidavit that she has no objection for grant of probate to the petitioner. The attesting witness in his affidavit stated that the testatrix has executed her last Will and Testament in his presence and in presence of another attesting witness by appointing the petitioner as sole executrix of her last Will and Testament while possessing good health and fit state of mind.
8. Considering the above, this Court finds that the petitioner has proved the Will and is entitled to get the probate.
9. The Department is directed to issue the probate of the last Will and Testament dated 8th December, 2017 on compliance of all formalities.
10. At the time of grant of probate, a copy of the Will be made as part of the probate.
11. Thus, PLA No. 277 of 2024 is disposed of.

(KRISHNA RAO, J.)