

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

PLA/168/2023

IN THE GOODS OF:
SUSHIL KUMAR BARASIA, DECEASED

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date: 24th March, 2025.

Appearance:

Ms. Pooja Sah, Adv.
...for the petitioner.

1. Ms. Pooja Sah, 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 16th June, 2022 of the testator Sushil Kumar Barasia.
3. The testator has executed his last Will and Testament in presence of two attesting witnesses by appointing his wife Smt. Saroj Devi Barasia as sole executrix of his last Will and Testament. The testator died on 18th December, 2022 leaving behind his wife, one son and three daughters.
4. All the legal heirs have given their affidavits of consent stating that they have no objection for grant of probate of the last Will and Testament to the petitioner. Both the attesting witnesses have also filed their affidavits stating that the testator has executed his last Will and Testament dated 16th June, 2022 by appointing the petitioner as sole executrix while possessing good health and fit state of mind.

5. Considering the above, this Court finds that all the legal heirs have given their consent stating that they have no objection for grant of probate to the petitioner. The attesting witnesses have also stated that the testator has executed his last Will and Testament in their presence while possessing good health and fit state of mind by appointing the petitioner as sole executrix of his last Will and Testament.
6. Considering the submissions made by the counsel for the petitioner, this Court finds that the petitioner has proved the Will and is entitled to get the probate.
7. The Department is directed to issue the probate of the last Will and Testament dated 16th June, 2022 to the petitioner upon compliance of all formalities.
8. At the time of grant of probate, a copy of the Will be made as part of the probate.
9. Accordingly, PLA No. 168 of 2023 is disposed of.

(KRISHNA RAO, J.)