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

PLA/296/2024

IN THE GOODS OF:
SUBRATA KARANJAI (DEC.)

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date: 3rd January, 2025.

Appearance:

Mr. Dwipraj Basu, Adv.

Mr. Kaushik De, Adv.

Mr. Roshan Pathak, Adv.

Mr. Soumyajit Mondal, Adv.

...for the petitioner.

The Court : Mr. Dwipraj Basu, 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 16th June, 2021.

Counsel for the petitioner submits that the testator has executed his last Will and Testament in presence of two attesting witnesses by appointing the petitioner as his sole executor of his last Will and Testament. Counsel for the petitioner further submits that the testator died on 13th October, 2023 leaving behind five legal heirs i.e. mother, wife, two sons and one daughter. All the legal heirs have filed their affidavits of consent stating that they have no objection for grant of probate to the petitioner of the Will dated 16th June, 2021.

Counsel for the petitioner submits that out of two attesting witnesses, one attesting witness namely, Nirupam Baksi has also filed his affidavit

stating that the testator has executed his last Will and Testament in his presence by appointing the petitioner as sole executor while possessing good health and fit state of mind.

Heard the learned counsel for the petitioner. Perused the original Will, death certificate, affidavits of consent of the legal heirs and affidavit of attesting witness.

This Court finds that all the legal heirs of the deceased testator have filed their affidavit of consent stating that they have no objection for grant of probate to the petitioner. The attesting witness in his affidavit has categorically stated that the testator has executed his last Will and Testament in his presence by appointing the petitioner as executor while possessing good health and fit state of mind.

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

Accordingly, the Department is directed to issue probate to the petitioner after completion of all formalities.

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

Accordingly, PLA/296/2024 is disposed of.

(KRISHNA RAO, J.)