

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

PLA/284/2022

IN THE GOODS OF: SRI SHREE KUMAR DAGA (DEC.)

BEFORE:

The Hon'ble JUSTICE SUGATO MAJUMDAR

Date : 22nd December, 2025.

Appearance:

Mr. Sakya Sen, Sr. Adv.

Mr. Ankan Rai, Adv.

Mr. Ratnesh Kr. Rai, Adv.

Ms. V. Gang, Adv.

Ms. Devanshi Deora, Adv.

Ms. Sakshi Kejriwal, Adv.

...for the petitioner

The Court:- This is an application filed for grant of probate of the last Will and Testament of the deceased, Shree Kumar Daga.

Late Shree Kumar Daga had his last known residence at CF-382, Salt Lake City, Bidhannagar, Sector-I, Kolkata-700 064. He was a Hindu governed by Mitakshara School of Hindu Law. He expired on 4th October, 2021. Prior to death deceased executed the last Will and Testament on 7th May, 2014. The Will is a registered one.

The Petitioner being the Executor filed the present application praying for grant of probate of the last Will and Testament of the deceased dated 7th May, 2014.

After issuing of citations, the daughter of the Testator appeared and lodged caveat. However, she did not file any affidavit in support of the caveat as a result of which caveat was discharged and the proceeding became non-contentious. Consent affidavit filed by the widow of the deceased, is on record.

P.W.1 is the Executor being the son and P.W.2 is the attesting witness being the widow of the deceased.

The testamentary disposition is to the son. Attesting witness was the widow who identified the signatures of the Testators and deposed that the Will was executed in her presence and, attested the Will in presence of the Testator. It was further deposed that the Testator was physically fit and mentally alert at the time of execution of the Will.

Unchallenged testimony of the witnesses proved that the Will was duly executed in terms of Section 63 of the Indian Succession Act.

Probate may be granted.

Inventory and accounts shall be filed within six months from the date of issuing of probate.

The instant application stands disposed of.

(SUGATO MAJUMDAR, J.)