

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

Present:

The Hon'ble Justice Sugato Majumdar

PLA/289/2022

**IN THE GOODS OF:
HONBLE JUSTICE AMARABHA SENGUPTA RETD (DEC)**

For the Petitioner : Mr. Pourush Bandopadhyay, Adv.
Mr. Dipankar Das, Adv.

Hearing concluded on : 01/07/2025

Judgment on : 07/07/2025

Sugato Majumdar, J.:

The instant application is filed, praying for grant of probate of the last will and testament of the deceased Amarabha Sengupta.

The Testator was a Hindu governed by Dayabhaga School of Hindu Law and had fixed place of abode at BJ-404, Sector-II, Salt Lake City, Police Station-Bidhannagar (East), Kolkata-700091, District-North 24 Parganas. Prior to his death on 05/04/2020, the deceased executed his last will and testament on 06/11/2018. On his death, the executor appointed under the will applied for grant of probate.

Citations were issued; no caveat was lodged. The attesting witnesses examined themselves before this Court proving execution of the will.

The will is a hologram. It was handwritten by the Testator. Effect of age is manifest in handwriting though retained the firmness. This proves naturalness of

the will. The Testator was a retired Judge of this Court. He died bachelor. His nephew and the nephew's wife were the attesting witnesses and the beneficiary is the daughter of the nephew. Both the attesting witnesses deposed that will was executed in their presence and they also put their signatures before the Testator. The Executrix is the sole beneficiary of the will. It was asserted by the attesting witnesses that the Testator was physically fit and mentally alert at the time of execution of the will. In fact, the hologram Will proves that more successfully.

In nutshell, due execution of the will has been proved.

Let probate be granted as prayed for.

Inventory and accounts shall be filed within statutory period. The instant probate application stands disposed of.

(Sugato Majumdar, J.)