

OD-30

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

PLA/358/2022

IN THE GOODS OF:
SARAL KUMAR GANGULY
ALIAS SARAL GANGULY ALIAS SARAL KUMAR
GANGOPADHYAY (DEC)

BEFORE:

The Hon'ble JUSTICE SUGATO MAJUMDAR

Date : 12th August, 2025.

Appearance:

Mr. Supratim Dhar, Sr. Adv.
Mr. Satyabrata Chakraborty, Adv.
R. Ghosh, Adv.
Mr. Sourav Sardar, Adv.
Mr. Bikash Kr. Roy, Adv.
...for the Petitioner.

The Court:- This is an application praying for grant of Probate of the last Will and Testament of the deceased Saral Kumar Ganguly dated 6.9.2020.

The deceased Saral Kumar Ganguly alias Saral Ganguly alias Saral Kumar Gangopadhyay was a Hindu having place of residence at 58, Malanga Lane, P.O. & P.S. – Bowbazar, Kolkata- 700012 and also at Ganguly Bhawan, P.O. & P.S. – Samta, District – Howrah, Pin Code – 711303. Parents of the Testator predeceased him. He was a bachelor. He breathed his last on 23.1.2021 at 58, Malanga Lane, Kolkata – 700012 as aforesaid. Prior to his death, he executed his last Will and Testament dated 6.9.2020. The present Petitioner, being nephew of the Testator was appointed as an executor. After

death, the instant application has been filed praying for grant of Probate of the last Will and Testament of the deceased.

Citations were issued. No caveat was lodged. There was paper publication also once in “English Daily” and once in “Bengali Daily”. The proceeding is, therefore, uncontentious.

This Court directed that the Will shall be proved in solemn form.

The attesting witnesses were examined as P.W. 1 and P.W. 3. Two attesting witnesses deposed in this Court and testified that the Testator was ailing but mentally alert. P.W. 1 identified the signature of the Testator and her own signature also. It was stated that the Will was executed in presence of the witnesses and she witnessed the execution of the Will putting signature after the Testator executed it. She further stated in evidence that the Testator was physically fit though because of nerve related issues he had trembling hands.

Both the attesting witnesses proved due execution of the Will in terms of Section 63 of the Indian Succession Act. Death certificates have already been adduced in evidence and marked.

Unchallenged testimony of the witnesses established that the Will was duly executed in terms of Section 63 of the Indian Succession Act. Accordingly, the Probate of the Will may be granted.

Let the Probate be granted.

Inventory and accounts shall be filed within six months from grant of Probate.

The Probate application stands disposed of.

(SUGATO MAJUMDAR, J.)