

IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY & INTESTATE JURISDICTION
ORIGINAL SIDE

PLA/512/2022
IN THE GOODS OF :
GITA GHOSH, DECEASED

BEFORE:
THE HON'BLE JUSTICE SUGATO MAJUMDAR
Date: 9th September, 2025.

Appearance:
Mr. Pratip Mukherjee, Adv.
Ms. Chaitali Mukhopadhyay, Adv.
Mr. Purnankar Biswas, Adv.
...for the petitioner.

The Court: - Heard argument.

This is an application praying for grant of Probate of the last Will and Testament of late Gita Ghosh, the testatrix herein.

The Testatrix, Gita Ghosh was a Hindu governed by Dayabhangya School of Hindu Law and had the last place of abode at 7/A, Pitambar Ghatak Lane, P.O.- Alipore, P.S.-Chetla, Kolkata – 700027. She breathed her last on 22.7.2022 at SSKM Hospital, Kolkata – 700020.

Prior to her death, the Testatrix made and published her last Will and Testament, on 22nd October, 2019 in English language. The Will was registered before the Office of the Additional Registrar of Assurances – IV, Kolkata. The husband of the testatrix predeceased her. She left behind two daughters as legal heirs and successors – one of whom is the beneficiary herein.

Citations were issued. Initially caveat was filed by the elder sister, one of the daughters of the Testatrix. But affidavit in support of caveat had not been filed. Accordingly, caveat was discharged in terms of the Order dated 30th June, 2025.

P.W. 1 is the attesting witness and P.W. 2 is the Executor of the Will. Both are related to the Testatrix as deposed. P.W. 1 identified the signatures of the testatrix in the Will itself. According to the witness, the Testatrix put her signature in presence of the attesting witnesses and the attesting witnesses also put their respective signatures in presence of the Testatrix. The Testatrix was physically fit and mentally alert as deposed. She travelled from her residence to the Office of the Registrar as deposed. Death certificate was produced.

From unchallenged testimony of the witnesses, due execution of the Will in accordance with Section 63 of the Indian Succession Act is proved and established.

Let the Probate be granted. The instant application stands disposed of. Inventory and accounts shall be filed within six months from the date of grant of Probate.

(SUGATO MAJUMDAR, J.)