

ORDER SHEET

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

PLA/495/2023

IN THE GOODS OF:
DILIP KUMAR JAJODIA, DECEASED

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date: January 17, 2025.

Appearance:
Mr. Soumyajit Ghosh, Adv.
Mr. Kaushik Mondal, Adv.
Ms. Ajeyaa Chowdhury, Adv.
... for the petitioner.

The Court: Mr. Soumyajit Ghosh, learned counsel, is appearing
for the petitioner.

The petitioner has filed the present application for grant of
probate of the last Will and Testament dated 25th July, 2013 executed by
the Testator, Dilip Kumar Jajodia.

Counsel for the petitioner submits that the testator has executed
his last Will and Testament by appointing the petitioner as sole executrix of
his last Will and Testament while possessing good health and fit state of
mind in presence of two attesting witnesses.

Counsel for the petitioner submits that the testator died on 3rd
May, 2021 leaving behind the petitioner, being his wife and two daughters.
He submits that both the daughters have filed their affidavit of consent
stating that they have no objection for grant of probate. One of the
attesting witnesses, namely, Sreya Basu Mallick has also filed her affidavit,
stating that the testator has executed his last Will and Testament in her

presence and in presence of other attesting witness while possessing good health and fit state of mind by appointing the petitioner as sole executrix.

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

This Court finds that the legal heirs have categorically stated that they have no objection for grant of probate to the petitioner. The testator has executed his last Will and Testament while possessing good health and fit state of mind by appointing the petitioner as sole executrix.

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

The department is directed to issue probate to the petitioner of the last Will and Testament dated 25th July, 2013 upon completion of all formalities.

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

PLA/495/2023 is disposed of.

(KRISHNA RAO, J.)