

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

PLA/550/2022

IN THE GOODS OF :
SITARAM KANODIA (DEC.)

BEFORE:

The Hon'ble JUSTICE SUGATO MAJUMDAR

Date : 26th August, 2025.

Appearance:

Mr. Aniruddha Mitra, Sr. Adv.

Ms. Labanyasree Sinha, Adv.

Ms. Suravi Pal, Adv.

...for the petitioner.

The Court:- The instant application is filed praying for grant of Probate of the last Will and Testament of Sitaram Kanodia since deceased.

Late Sitaram Kanodia had his last place of abode at K.G., Block-B, Flat-2C and 2D, 6 Burdwan Road, Alipore, Kolkata- 700027. He breathed his last on 29.08.2022.. Before death, he executed his last Will and Testament on 22.01.2016 in English Language which was duly registered with the Additional Registrar of Assurances-3, Kolkata. Particulars of registrations are in the pleading. The Will was attested by Lata Budhia, Bimla Devi Kanodia, Smt. Sangeeta Agarwal and Dr. Amitabha Ray.

All the legal heirs and successors namely, sons, daughters and wife expressed their written consent in grant of Probate. PW-1 was the attesting witness who happened to be the daughter of the Testator. She deposed before this Court that the Will was executed in front of Dr. Amitabha Ray along with herself, her parents and elder sister. She witnessed the execution of the Will by

her father and she put her signature along with mother, elder sister in presence of his father after execution. She further stated that this was the last Will and Testament of her father. The Will is a registered one. She identified signatures of her mother and sister as well as Dr. Amitabha Ray. She further stated before this Court that at the time of execution of the Will, the Testator was in good health and sound mind. He was aged about 76 to 77 years at that time. The Testator died at the age of 83.

The Will as well as the original death certificate were marked.

The Executor deposed as PW-2, produced the death certificate which were marked. He stated that at the time of execution of the Will, he was not present. He further stated that his father was in good health prior to his fatality. He was also mentally fit.

Unchallenged testimony of the witness proved due execution of the Will in accordance with Section 63 of the Indian Succession Act.

Let Probate be granted as prayed for.

The instant application stands disposed of. Inventory and accounts shall be filed within six months.

(SUGATO MAJUMDAR, J.)