

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

Present:

The Hon'ble Justice Sugato Majumdar

PLA/565/2022

IN THE GOODS OF CHANDRA BHADURI DECED

For the Petitioner : Ms. Aparajita Rao, Adv.
Ms. Nabanita Dutta, Adv.

Hearing concluded on : 30/07/2025

Judgment on : 30/07/2025

Sugato Majumdar, J.:

This is an application for grant of probate of the last will and testament of the deceased Chandra Bhaduri dated 15/02/2017.

The Testatrix was a Hindu governed by Dayabhaga School of Hindu Law. She breathed her last on 1st July, 2017 at 11, Park Side Road, Kolkata-700026, P.S.-Tollygunge. Her husband pre-deceased her on 14/12/1982. Prior to death, the Testatrix executed her last will and testament dated 15/02/2017 which was duly registered before the District Sub-Registrar I, Alipore, South 24 Parganas, recorded in Book No. III, Volume No.1601 to 2017, pages 189 to 200 being no. 160100016. The present Petitioner was appointed as the Executor of the will.

Citations were issued. No caveat was lodged. The probate proceeding became uncontentious.

PW 1 was the attesting witness who deposed before this Court. He identified the signatures of the Testatrix and his own signature. Death certificate was also produced. It was stated in evidence that the Testatrix first signed and executed the will then the attesting witness put his signature on the will in presence of the Testatrix. It was further stated that her physical and mental condition, at the time of execution of the will was alright.

PW 2 was the Executor who proved the death certificate who stated in evidence that the Testatrix had no son or daughter, her husband pre-deceased her; the Testatrix was aunty of his wife. He also deposed that will was duly executed. After examination, PW 2 was discharged.

Testimony of the witnesses specially the attesting witness established due execution of the will in terms of Section 63 of the Indian Succession Act, 1925.

It was also deposed that this is the last will and testament of the Testatrix.

Let the probate be granted.

Inventory and accounts shall be furnished within six months from the date of grant of probate.

The instant probate application stands disposed of.

(Sugato Majumdar, J.)