

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

Present:

The Hon'ble Justice Sugato Majumdar

**PLA/278/2015
IN THE GOODS OF: LACHMAN DAS CHOTMURADA
(ARORA), @ LACHHMAN
VS
DAS ARORA (CHOTMURADA), DECEASED**

For the Petitioner : Mr. Abhidipto Tarafder, Adv.
Mr. Aniruddh Saha Ray, Adv.
Ms. Jayshree Saha, Adv.

Hearing concluded on : 04/08/2025

Judgment on : 04/08/2025

Sugato Majumdar, J.:

Heard argument.

This is an application for grant of probate of the last will and testament of the deceased Lachmandas Chotmurada (Arora) also known as Lachhmandas Arora (Chotmurada).

The Testator, since deceased, breathed his last on 02/08/2013 at Bellevue Clinic, Kolkata-700017. He had his residence at P-18, Dobson Lane, Clarkinn, 6th Floor, Police Station-Golabari, Howrah-711101. Prior to his death, he executed his last will and testament dated 31/01/2013 which was registered in the office of the District Sub-Registrar of Howrah in Book No. III C.D. Volume No.1, Page 77 to 86,

Being No. 00010 for the year 2013. By this will, the Testator cancelled his two earlier wills dated 23/09/2011 and 12/09/2012. The present petitioner was appointed the executor of the will.

Citations, both general and special, were issued but there was no caveat. Probate proceeding became un-contentious, accordingly.

The attesting witness identified the will as well as the signature of the Testator. He stated that the Testator executed the will in presence of the Advocates and the attesting witnesses. This attesting witness, being an employee, was acquainted with the signature of the Testator and used to see the Testator to sign many times. The attesting witness also deposed that the Testator was physically fit and mentally alert and used to go outside at the time when the will was executed. He further stated that the Testator and attesting witnesses put signature in presence of each other. The Executor produced the death certificate which was adduced in evidence and marked. The witnesses also deposed that this is the last will and testament of the Testator.

On appreciation of evidence due execution of the last will and testament of the Testator dated 31st January, 2013 in terms of Section 63 of the Indian Succession Act, 1925 is proved.

Let the probate be granted. Inventory and accounts shall be filed within six months from the date of issue of probate.

The instant probate application stands disposed of.

(Sugato Majumdar, J.)