

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

PLA/246/2021

IN THE GOODS OF :
SHYAM LATTA (DEC.)

BEFORE:

The Hon'ble JUSTICE SUGATO MAJUMDAR

Date : 15th January, 2026.

Appearance:
Mr. Uday Narayan Betal, Adv.
...for the petitioner

The Court:- The instant application is one for grant of probate of the last Will and Testament of the deceased Shyam Latta.

The deceased was a Hindu, who had his last place of residence at HA-1, Sector-III, Salt Lake City, P.S.-Bidhannagar South, Dist.- North 24 Parganas, Kolkata-97. The deceased breathed his last on 4.3.2020 at Salt Lake City, Kolkata.

Prior to the death, the deceased made and published his last Will and Testament on 26.9.2021 appointing therein Mr. Uttam Kumar Baid and Sanjay Jagnani as Executors. On death, the instant application was filed by both the Executors.

Citations had been issued to the near relatives but no caveat was lodged, as a result of which the probate proceeding became non-contentious.

One of the attesting witnesses deposed as PW-1 and one of the Executors was examined as PW-2. The attesting witness deposed that the Testator executed the Will and the witness attested the Will in presence of each others.

He also deposed that the Testator was physically fit and mentally alert at the time of the execution of the Will. The attesting witness could not say why the Will was not signed on each and every page by the Testator but he deposed that the Testator put signature only on the last page without signing the other pages in his presence. PW-2, one of the Executors produced death certificate of the Testator.

On appreciation of unchallenged testimony of the witnesses, this Court comes to the conclusion that due execution and attestation of the last Will and Testament dated 26th September, 2019 have been proved to be in accordance with Section 63 of the Indian Succession Act.

Let probate be granted.

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

The instant probate application stands disposed of.

(SUGATO MAJUMDAR, J.)