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

PLA/184/2025

IN THE GOODS OF:
BANI BASU ALIAS BANI BOSE, DECEASED

BEFORE:
The Hon'ble JUSTICE PARTHA SARATHI CHATTERJEE
Date : 8th October, 2026

*Appearance:*
*Mr. Rachit Lakhmani, Adv.*
*Mr. Avishek Das, Adv.*
*Mr. Soubhik Dey, Adv.*
*...for the applicant/petitioner*

The Court: This is an application for grant of probate of the last Will and Testament of Bani Basu alias Bani Bose (since deceased) dated 18th June, 2008.

Mr. Lakhmani, learned Advocate appearing for the petitioner, submits that the citations have been duly served and summons issued, and that the legal heirs have, by filing affidavits, expressed their no objection to the grant of probate. He further submits that the attesting witness has filed an affidavit proving the due execution and attestation of the Will. In view of the aforesaid, he prays for the grant of probate in respect of the Will executed by the testatrix on 18th June, 2008.

Having heard the learned Advocate appearing for the petitioner and upon perusal of the materials on record, including the Will, the death certificate of the testatrix and the affidavits filed by the attesting witness and the legal heirs, this Court proceeds to consider the prayer for grant of probate.

The application avers that the document in question is the last Will and Testament of the testatrix, executed on 18th June, 2008. It also discloses the date of death of the testatrix and states that, at the time of her death, she had a fixed place of abode within the territorial jurisdiction of this Court. The legal heirs have, by filing affidavits, expressed their 'No Objection' to the grant of probate. The attesting witness has also filed an affidavit affirming that he had seen the testatrix affix her signature to the Will and that the testatrix had, in turn, seen him affix his signature thereto. He has further deposed that the testatrix was in a sound and disposing state of mind at the time of execution of the Will. In view of the aforesaid materials on record, the petitioner has duly established compliance with the requisite legal formalities and proved the due execution and attestation of the Will. Therefore, there appears to be no impediment to the grant of probate.

Accordingly, the application is allowed.

Let probate of the last Will and Testament of the testatrix dated 18th June, 2008, be granted, with a copy of the Will annexed thereto, upon completion of all formalities and payment of ad valorem court fees, if not already paid.

PLA/184/2025 is thus disposed of.

(PARTHA SARATHI CHATTERJEE, J.)

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