OD-6

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

PLA/243/2025

IN THE GOODS OF:
SUBHRA GHOSH (DEC.)

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

The Court: This is an application for grant of Letters of Administration of the last will and testament of Subhra Ghosh, since deceased dated 25th June, 2014.

The learned Advocate appearing for the petitioner submits that, upon the demise of the executrix, the petitioner, being one of the legal heirs of the testatrix, has filed the present application praying for the grant of Letters of Administration in respect of the last Will and Testament of the testatrix dated 25th June, 2014. He further submits that the legal heirs have expressed their no objection to the grant of Letters of Administration. It is also submitted that the attesting witness has, by filing an affidavit, deposed on oath 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. The attesting witness has further deposed that the testatrix was in a sound and disposing state of mind at the time of execution of the Will. In the aforesaid circumstances, he prays for the grant of Letters of Administration in respect of the said Will.

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, the affidavit of the attesting witness and the affidavits filed by the other legal heirs left behind by the testatrix, it transpires that the petitioner has propounded the document in

question as the last Will and Testament of the testatrix dated 25th June, 2014. The said Will was duly registered. The petition discloses the date of death of the testatrix and also avers that, at the time of her death, she had a fixed place of abode within the territorial jurisdiction of this Court. The attesting witness has, in his affidavit, deposed on oath 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 complied with the requisite formalities and established the due execution and attestation of the Will. Accordingly, there appears to be no impediment to the grant of Letters of Administration.

Accordingly, the application is allowed.

Let Letters of Administration be granted in respect of the last Will and Testament of the testatrix dated 25th June, 2014, upon completion of all formalities and execution of a bond for an amount equivalent to 10% of the value of the assets disclosed in the affidavit of assets, with two sureties.

PLA/243/2025 is thus disposed of.

(PARTHA SARATHI CHATTERJEE, J.)

S.Bag