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ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY & INTESTATE JURISDICTION

PLA/320/2024

IN THE GOODS OF :
BELA CHOWDHURY, DECEASED

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 13th February, 2026

Mr. Proshit Deb, Adv.
Ms. Ranjana Seal, Adv.
.. . for the petitioner.

The Court :- The Will dated 15th June, 2001 was directed to be proved in solemn form despite there being no objection to the grant of letters of administration with the will annexed as the two attesting witnesses have passed away during the interregnum for which the Will could not be proved in common form.

Ms. Mitali Gupta appeared to depose as the attending witness to prove the will.

On a perusal of the deposition of the said witness it appears that the Will was signed by the testatrix in the office of the registering authority at Alipore wherein she was present. The attesting witnesses who are either family friends or acquaintance of the testatrix were also present. The late husband of the witness was also present. The signature was affixed by the testatrix in the presence of the attesting witnesses and in front of Ms. Mitali

Gupta, the witness. The attesting witnesses signed in presence of the testatrix as also in presence of the witness, Ms. Mitali Gupta. The Will being a registered document was placed for registration by the testatrix herself. The chain of events that the testatrix went to the office of the Registering Authority, placed the documents for registration after executing the same and getting it attested demonstrates that she was not physically or mentally infirm on 15th June, 2001 when the said Will was executed. The deposition of the witness, her relationship with the testatrix and the relationship between the testatrix and the attesting witnesses do not give rise to any suspicious circumstances. The Will dated 15th June, 2001 is proved in solemn form.

Let the letters of administration be granted to Sri Utsab Gupta who has applied for the same with the Will annexed subject to furnishing a bond of Rs.6 lakhs with one surety.

The application for letters of administration being PLA 320 of 2024 is, accordingly, disposed of.

(ARINDAM MUKHERJEE, J.)