OD-10

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

PLA/306/2025

IN THE GOODS OF –
ARCHANA CHATTERJEE (DEC.)

BEFORE:
The Hon'ble JUSTICE PARTHA SARATHI CHATTERJEE
Date: 13th October, 2026.

Appearance:
Mr. Udaynarayan Betal, Adv.
Mr. Mriganka Patra, Adv.
…for the petitioner.

The Court :- This is an application for the grant of probate of the last Will and testament dated 10th February, 2014 of on Archana Chatterjee, since diseased.

Mr. Betal, learned Advocate appearing for the petitioner, submits that the general and special citations have been completed in terms of the order passed by a Co-ordinate Bench of this Court dated 1st November, 2025. Despite completion of the citations, none has come forward to file a caveat. He further submits that the petitioner has complied with all requisite formalities and that the attesting witness has, by filing an affidavit, proved the execution and attestation of the Will. He, accordingly, prays for grant of probate of the last Will and Testament of Archana Chatterjee, since deceased.

Heard learned Advocate appearing for the petitioner and perused the materials on record, including the copy of the Will, the death certificate of the testatrix, the affidavit of the attesting witness and the Affidavit of Assets.

In the application, the petitioner has averred that the document in question is the last Will and Testament of the testatrix and has disclosed the date

of execution of the Will and the time of death of the testatrix. The petitioner has also stated that the testatrix had a fixed place of abode at the time of her death within the territorial jurisdiction of this Court. The Affidavit of Assets specifies the value of the property likely to come to the hands of the petitioner upon the grant of probate. The attesting witness has, in his affidavit, specifically deposed that he had seen the testatrix affix her signature to the Will and that the testatrix had, in turn, seen the attesting witness 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. The petitioner has, therefore, complied with the requisite formalities and duly proved the execution and attestation of the Will. Accordingly, there appears to be no impediment to the grant of probate.

In view thereof, the application is allowed.

Let probate of the last Will and Testament of Archana Chatterjee (since deceased), be granted upon completion of all requisite formalities and payment of the requisite ad valorem court fees, if not already paid.

PLA/306/2025 is thus disposed of.

(PARTHA SARATHI CHATTERJEE, J.)

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