

OD-3

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

PLA/377/2018

IN THE GOODS OF:
MAYA GHOSH (DEC)

BEFORE:

The Hon'ble JUSTICE SUGATO MAJUMDAR

Date : 28th April, 2026.

Appearance:
Mr. Ujjwal Kr. Sarkar, Adv.
...for the petitioner

The Court:- This is an application for grant of Probate of the last Will and Testament of the deceased, namely, Maya Ghosh.

The Testatrix, namely, Maya Ghosh had last place of abode at 536, Block 'M', New Alipore, Kolkata-700053. She breathed her last on 02.07.2002. Prior to her death, she executed her last Will and Testament dated 02.12.1998 appointing Nandini Sardul nee Ghosh as Executrix.

On death of the Testatrix, the instant petition was filed by the Executrix praying for grant of Probate.

Citations were issued by way of publications but no caveat had been lodged, as a result of which the proceeding became non-contentious cause.

One of the attesting witnesses expired and whereabouts of the other attesting witness are not known. One attending witness testified the execution of the Will by the Testatrix in presence of the attesting witnesses. This witness and another witness identified the signatures of the Testatrix and the attesting witness, Swadesh Bhuia. PW-3 was the daughter of the Testatrix. Witnesses deposed that the Testatrix was physically fit and mentally alert at the time of execution of the Will.

The Death Certificate was produced and marked.

On appreciation of unchallenged testimony, this Court comes to the conclusion that the Petitioner has established her case that the Will was duly executed by the Testatrix in terms of Section 63 of the Indian Succession Act, 1925.

Let Probate be granted.

Inventory and accounts shall be filed within statutory period from the date of issuing of probate.

The instant application stands disposed of.

(SUGATO MAJUMDAR, J.)