

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

PLA/434/2021

IN THE GOODS OF : JAHAR DEY (DECEASED)

BEFORE:

The Hon'ble JUSTICE SUGATO MAJUMDAR

Date : 23rd April, 2026.

Appearance:

Mr. Udaynarayan Betal, Adv.
Mr. Mriganka Patra, Adv.
..for the petitioner

The Court:- Heard argument.

This is the last will and testament of late Jahar Dey, who breathed his last on 10/05/2021. The last known abode of the Testator was 12/3E, Jamir Lane, Bullygunge, PS-Gariahat, Kolkata-700019. Prior to death, the Testator executed his registered last will and testament dated 02/08/2018, appointing the present Petitioner being daughter namely, Smt. Munmun Dey (Banerjee) as the Executrix. The Testator was a Hindu.

On death of the Testator, his daughter, the named Executor filed the instant application praying for grant of probate of the aforesaid will.

General and Special citations were issued and there was paper also on 04.06.2023, but there was no caveat, for which, the probate proceeding became non-contentious.

Both the Executrix and the attesting witness were examined. The attesting witness stated that the will was executed by the Testator in his

presence and put his signatures as an attesting witness in the will in presence of the Testator. At the time of execution of the will, the Testator himself and the other attesting witness were present.

The Testator was physically fit and mentally alert at the time of execution of the will executed in the office of the Additional District Sub-Registrar (A.D.S.R.), Alipore. Since the attesting witness was very close to the Testator and was like a friend of him, as per instruction of the said Testator, he drafted the will as an Advocate and got the same registered at the office of A.D.S.R. Alipore. The executrix produced the death certificate and the same was returned for practical purpose.

Evidence of the attesting witness as well as the Executrix established due execution of the will in terms of Section 63 of the Indian Succession Act, 1925.

Let probate be granted. Inventory shall be filed within six months and accounts within one year from the date of issue of probate.

The instant probate application stands disposed of.

(SUGATO MAJUMDAR, J.)