

ORDER SHEET

IA No. GA/1/2021

In

PLA/73/2021

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

IN THE GOODS OF :
SAJJAN KUMAR MODY (DEC.)

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : September 28, 2021.

[Via video conference]

Appearance:

Mr. Raghunath Ghose, Adv.

Mr. Ishaan Saha, Adv.

The Court : This is an application for amendment of the cause title to the probate application as well as other documents filed in connection with the said application.

Upon perusing the nature of amendment sought for, this Court is of the view that the application can be allowed in terms of prayers therein. The petitioners are, accordingly, permitted to amend the petition incorporating the amendments as indicated in a copy annexed to the application containing the proposed amendment.

The department is directed to carry out said amendment within one week after vacation.

Leave is given to the petitioner to re-verify the petition upon the amendment being carried out which shall be a week after the department completes its share of the work.

It is also submitted by learned counsel that both the applicants, who are the joint executors and the brothers of the testator, are senior citizens and would hence not be in a position to affirm the application. Prayer is hence made for applying before the Commissioner for circumventing this difficulty. Such prayer is allowed.

GA 1 of 2021 is accordingly allowed and disposed of in terms of the above.

The prayer for permitting the applicant no.2 to authorise the applicant no.1 to carry out the necessary affirmation is also allowed.

(MOUSHUMI BHATTACHARYA, J.)