

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY AND INTESTATE JURISDICTION

IA No. GA/1/2025

In

PLA/47/2024

IN THE GOODS OF:
RATAN MALA SAHA, DECEASED

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 23rd December, 2025.

Appearance:
Mr. Tapas Kumar Manna, Adv.
Ms. Anindita Majumder, Adv.
For the Applicant.

The Court: The petitioner claims to be the executor to the Will dated 10th February, 2006 said to have been left behind by the above named deceased. The petitioner had filed an application for grant of probate being PLA No. 78 of 2007. Pursuant to such application, two of the heirs in intestacy of the deceased had objected to the grant by lodging the testamentary caveat.

By an order dated 11th January, 2018, this Court by noticing that there were incurable defects in the main application being PLA No. 78 of 2007 was pleased to dismiss the said application as withdrawn.

It is the case of the petitioner that unless the caveats lodged in connection with PLA No. 78 of 2007 are discharged, the fresh application being PLA No. 47 of 2024 cannot be proceeded with as a non-contentious matter when one of the objectors has given consent and the other objector having died.

In the aforesaid facts and circumstances, the matter is adjourned and shall appear on 22nd January, 2026.

The Department shall file a further report on the next adjourned date after scrutinizing the documents pertaining to this application and the caveats filed by Sananda Tarafdar and Purnima Saha.

(ARINDAM MUKHERJEE, J.)

snn.