

ORDER SHEET

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

TS/22/2023

IN THE GOODS OF
NARAYAN DEBNATH (DECEASED)

- AND-

ARCHANA DEBNATH.

VS

SWAPAN DEBNATH

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : March 7, 2025.

Appearance:

Mr. Sourajit Dasgupta, Adv.
Mr. Ramesh Chandra Paul, Adv.
...for the plaintiff

Mr. Gaurav Purakayasta, Adv.
Mr. Narayan Debnath, Adv.
Mr. Saswata Chatterjee, Adv.
...for the defendant

The Court: Mr. Sourajit Dasgupta, learned Counsel, is appearing for the plaintiff.

Mr. Gaurav Purakayasta, learned Counsel, is appearing for the defendant.

Both parties have filed their suggested issues.

Heard learned Counsel for the respective parties. Perused pleadings and suggested issues.

The following issues are framed:

-. I S S U E S :

1. Whether the registered last Will and Testament of Narayan Debnath the testator herein, dated 28th Sraban, 1427 B.S. corresponding to English calendar 13th August, 2020 is legally valid in the eye of law?

2. Whether the testator was in sound mind at the time of execution and registration of his last Will and Testament dated 28th Sraban, 1427 B.S. Corresponding to English calendar 13th August, 2020?

3. Whether the defendant has any Caveatable interest?

4. Whether the Will dated August 13, 2020 was manufactured and procured document, and a product of fraud?

5. Whether the Will dated August 13, 2020, a product of duress, coercion and undue influence upon the Testator?

6. Whether the plaintiff entitled to a grant of probate in respect of the Will dated August 13, 2020?

Counsel for the plaintiff is directed to file Judge's Brief of Documents within three weeks after serving the copy to the learned Counsel for the defendant.

List this matter on 7th May, 2025 at 3:00 pm for witness action.

(KRISHNA RAO, J.)