

ORDER SHEET

OD-15

IA NO.GA 1 OF 2022

IN

PLA 397 OF 2021

IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY AND INTESTATE JURISDICTION
ORIGINAL SIDE

IN THE GOODS OF:
NIRA CHATTERJI ALIAS N CHATERJI (DEC.)

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date : 9th September, 2022

Appearance:
Mr. Suddhasatva Banerjee, Adv.
Mr.K.N.Jana, Adv.
Mr. Shashwat Nayak, Adv.
For applicant in GA 1 of 2022
Mr. Prabhat Kr.Singh,Adv.
for executor

The Court : This is an application by a trust seeking leave to lodge a caveat to object to the grant of probate applied for by way of filing the application being PLA No. 397 of 2021.

The executor, an applicant of PLA No. 397 of 2021 is represented on being served. The executor opposes this application.

After hearing the parties and considering the materials on record, I find that the matter requires further scrutiny after affording the executor an opportunity to file an opposition. At the same time, the applicant

should also be given a limited protection, otherwise, by the time the application is finally disposed of, the probate may be granted, if the same is not contested, which will lead to multiplicity of judicial proceedings.

Let affidavit-in-opposition be filed by 7th November, 2022; reply, if any, be filed by 28th November, 2022. Liberty to mention till the disposal of this application or until further orders whichever is earlier. The probate should not be granted without the leave of Court.

(ARINDAM MUKHERJEE, J.)

sb.