

OD-3

ORDER SHEET

IA No.GA 2 of 2023

In

PLA 397 of 2021

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

IN THE GOODS OF :

NIRA CHATTERJI ALIAS N. CHATTERJI ALIAS NIRA CHATTERJEE,
DECEASED

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 5th December, 2023.

Mr. Kushal Chatterjee, Mr. S. K. Mal, Mr. Debrup Choudhury,
Advocates for applicants.
Mr. Shashwat Nayak, Mr. K. N. Jana, Advocates

The Court: This is application made by the heirs of the sole beneficiary under the Will dated 12th December, 2018 said to have been left behind by the testatrix. By the said Will the testatrix had appointed Hiranya Ketu Singh as the sole executor. The said Hiranya Ketu Singh had applied for grant of probate of the said Will by filing PLA 397 of 2021. However, before obtaining the grant Hiranya Ketu Singh died. Hiranya Ketu Singh was incidentally the sole beneficiary under the said Will dated 12th December, 2018. The heiresses of Hiranya Ketu Singh, namely, his widow and three daughters are the applicants in this application.

The applicants pray for converting the application for grant of probate into an application for grant of Letters of Administration. The consequential amendments are shown in a copy of the application filed in PLA 397 of 2021

which is annexure 'C' to this application. The amendments shown in red ink in the said annexure 'C' to this application are formal in nature and are allowed. The application for grant of probate being PLA 397 of 2021 is converted into an application for grant of Letters of Administration. The heiresses of Hiranya Ketu Singh, namely, his widow and the three daughters, the particulars of whom are provided in paragraph 6 of this application, are permitted to continue with the proceedings as joint applicants for the grant of Letters of Administration with the Will dated 12th December, 2018 annexed thereto. Let the amendment be carried out within three weeks from date. The applicants shall render all co-operation to the department for carrying out the amendment. Immediately after the amendment is carried out, the applicants shall be at liberty to re-verify the application for Letters of Administration . The cause title and the relevant cause papers of affidavit of assets shall be also amended in terms of the proposed amendment to the cause title which is allowed by the instant order.

Nothing further remains to be adjudicated in this application.

The application being GA 2 of 2023 is accordingly disposed of.

Since I have not called for any affidavit, the allegations contained in the application are deemed to have not been admitted by the other stakeholders.

(ARINDAM MUKHERJEE, J.)