

IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY AND INTESTATE JURISDICTION

IA NO. GA/2/2025
IN
PLA/295/2023
IN THE GOODS OF:
SANKARLAL CHAKROBORTY, DECEASED

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 3rd November, 2025.

APPEARANCE:

Mr. Meghnad Dutta, Adv.

Mr. Hareram Singh, Adv.

Mr. Saptarshi Ranjan Chatterjee, Adv.

For petitioner

The Court : This is an application for amendment in the application for grant of probate of the last Will and Testament dated 17th May, 2013 said to have been left behind by the deceased abovenamed.

It is the case of the applicant that the deceased was issueless and had been survived by his wife, the mother of the deceased having pre-deceased him. The widow died on 18th August, 2023. The applicant says that to dispel all future criticism since the widow would have solely inherited the property as an heiress-in-intestacy under the provisions of

Section 8 read with the schedule of the Hindu Succession Act, 1956 and her death the only person who can object to the grant is the nephew of the deceased as the only available Class II heiress the applicant by way of abundant caution wants to include the name of the daughter of the sister of the deceased, namely, Chandrima Mukherjee, so that she is offered an opportunity to express her view by objecting to the grant or seek the Will to be proved in solemn form in her presence as may she desire.

The applicant, therefore, intends to make Chandrima Mukherjee as the heiress-in-intestacy on to the death of the wife of the deceased in the place and stead of the deceased widow.

The amendments are formal in nature and will not change the nature and character of the proceedings or amount to withdrawal of any admission already made. The amendments as shown in red ink in a copy of the application for grant of probate i.e. PLA/295/2023 being Annexure-B to this application are allowed.

Department is directed to carry out the amendment within a period of fortnight from the date of communication of this order. The petitioner shall cooperate with the department for carrying out the amendments. Once the amendments are carried out, the petitioner shall be entitled to re-verify the application.

Nothing further remains to be adjudicated in this application.

The application is, accordingly, disposed of.

(ARINDAM MUKHERJEE, J.)

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