

PLA/410/2024
IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY AND INTESTATE JURISDICTION

IN THE GOODS OF:
SITANGSHU CHAKRABORTY, DECEASED

BEFORE:
The Hon'ble JUSTICE ARINDAM MUKHERJEE
Date: 26th February, 2026

Appearance:
Mr. Sujit Banerjee, Adv.
Mr. Nilay Sengupta, Adv.
Mr. Modit Gupta, Adv.
Ms. Sunanda Samanta, Adv.
For the petitioner.

The Court:- This is an application for grant of probate of the last Will and Testament dated 13th April, 2009 said to have been left behind by the above named deceased.

The deceased was issueless and his mother predeceased him. The widow has consented to the grant. The executor in his application for grant has stated that one of the attesting witnesses have died and the whereabouts of the other attesting witness was not known. Subsequently the executor has placed before this Court documentary evidence to show that the other attesting witness is also dead. The prayer for service of notice to the attesting witness, therefore, has become redundant. The Will has to be proved in solemn form as the same cannot be proved in common form through affidavit of attesting

witness. The learned advocate for the petitioner for abundant caution wants the general citation and publication to be made.

Let general citation be issued in terms of prayer [a] and a copy thereof be affixed at the Notice Board of this Court, Notice Board of the Collectorate of Srirampur and another copy be affixed at a conspicuous place of the immovable property bequeathed under the Will. Let the gist of the general citation be published once in "The Times of India" and once in "Ei Samay" on any Sunday edition. The publication in "Ei Samay" shall be in Bengali vernacular of the official translation of the gist in Bengali.

The matter is made returnable after seven weeks from the date of affixation and publication.

(ARINDAM MUKHERJEE, J.)

Snn.