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

PLA/598/2022

IN THE GOODS OF:  
SHAMPA GANGOLY ALSO KNOWN AS  
SHAMPA ANUJIT GANGOLY (DEC.)

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date: 3<sup>rd</sup> December, 2024.

Appearance:

Mr. Manas Dasgupta, Adv.

Ms. Kabita Mukherjee, Adv.

Mr. Meghjit Mukhernee, Adv.

Mr. Gourab Das, Adv.

...for the petitioner.

The Court : Mr. Manas Dasgupta, learned Advocate, is appearing for the petitioner.

The petitioner has filed the present application for grant of Letters of Administration of the last Will and Testament dated 22<sup>nd</sup> November, 2019 of the testatrix Shampa Gangoly also known as Shampa Anujit Gangoly.

Counsel for the petitioner submits that during the lifetime, the testatrix has executed her last Will and Testament in presence of two witnesses by appointing one Mr. Rudraroop Mukherjee as her sole executor of last Will and Testament. Mr. Rudraroop Mukherjee was the husband of the petitioner herein. The testatrix died on 3<sup>rd</sup> January, 2020 and the executor died on 5<sup>th</sup> May, 2020. The testatrix died leaving behind three legal

heirs namely, Anujit Gangoly, her husband, Ausman Anujit Gangoly, son, and Smt. Urmimala Ray as daughter.

Counsel for the petitioner submits that the citations were issued but none has come forward for filing caveat or affidavit in support of the caveat. Counsel for the petitioner submits that the department has submitted the report that no caveat has been entered against the Letters of Administration of the last Will and Testament. Counsel for the petitioner submits that one of the attesting witnesses namely, Satarudriya Mukherjee has also filed his affidavit stating that the testatrix has executed her last Will and Testament dated 22<sup>nd</sup> November, 2019 in his presence while possessing good health and fit state of mind by appointing Mr. Rudraroop Mukherjee as her sole executor.

Counsel for the petitioner submits that as none has filed the caveat or affidavit in support of the caveat and one attesting witness of the Will categorically stated in his affidavit that the testatrix has executed her last Will in his presence while possessing good health and fit state of mind and as such, the petitioner has proved the Will and prayed for grant of Letters of Administration.

Heard the learned counsel for the petitioner. Perused the application, original Will, death certificate of the testatrix and death certificate of the executor.

This Court has also considered the affidavit of the attesting witness of the last Will and Testament. The office has submitted the report that no caveat has been entered against the grant of the Letters of Administration.

Considering the above, this Court finds that the petitioner has proved the Will and is entitled to get the Letters of Administration of the last Will and Testament dated 22<sup>nd</sup> November, 2019.

The Department is directed to grant Letters of Administration to the petitioner subject to furnishing one surety of Rs.5 lacs upon completion of all formalities.

At the time of grant of Letters of Administration, the copy of the Will be made as a part of the Letters of Administration.

Accordingly, PLA/598/2022 is disposed of.

(KRISHNA RAO, J.)

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