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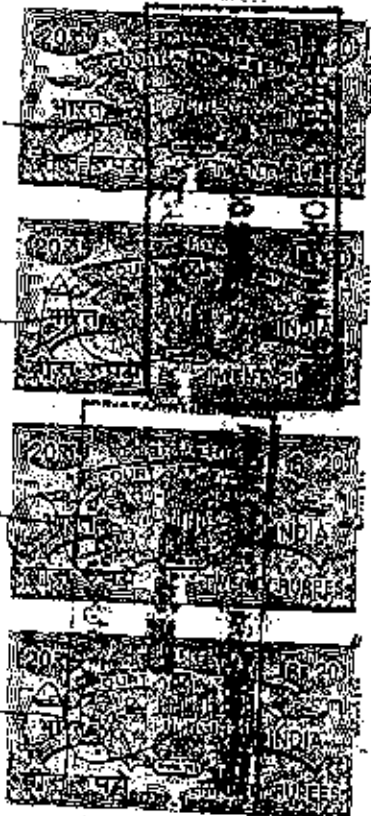
P. L. A. No. 231 of 2013  
IN THE HIGH COURT AT CALCUTTA  
Testamentary and Intestate Jurisdiction

IN THE GOODS OF:

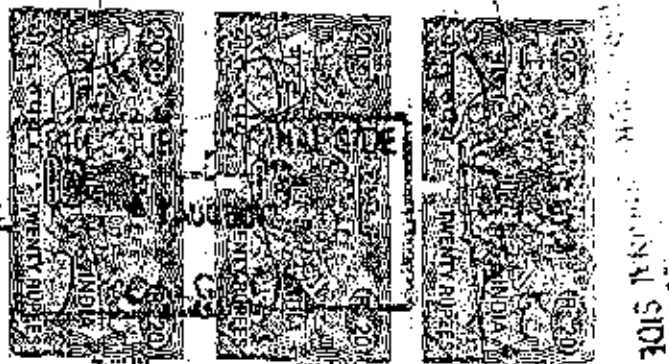
Smt. Shanti Devi Pasari, lately  
residing at 4A, Rainey Park, Kolkata  
700019 since deceased a Hindu  
inhabitant.

To

The Hon'ble Mr. Arun Mishra, Chief Justice And His Companion  
Justices of the said Hon'ble Court.



The humble petition of Sri Ratanlal  
Pasari son of Late Mool Chand Pasari  
presently residing at 17, Ballygunge  
Park Kolkata 700019, (previously  
residing at 4A, Rainey Park, Kolkata-  
700 019), the most respectfully -



S H E W E T H :

1. Smt. Shanti Devi Pasari, the deceased above named, who during her life time and at the time of her death was a Hindu governed by the Mitakshara School of Hindu Law died on 21<sup>st</sup> June 1988 at 54, Bishop Garden, R.A Puram, Madras 600 028. The said deceased lately resided at 4A Rainey Park, Calcutta 700 019, within the aforsaid jurisdiction of this Hon'ble court, after having made and published her Will and Testament in English Language and character dated the 5<sup>th</sup> March 1987, whereby she appointed your petitioner as the Executor thereof. A Xerox copy of the Certified copy of the said Will is annexed hereto and marked with the letter "A".
2. That the said deceased died on 21<sup>st</sup> June 1988 at 54, Bishop Garden, R.A. Puram, Madras 600 028 and the same was registered in the office of the Madras Municipal Corporation and a certificate to that effect was granted on 5<sup>th</sup> July 1988 by the Health Department, Corporation of Madras. A Xerox copy of the said certificate is annexed hereto and marked with the letter "B".



3. The testator abovenamed at the time of her death left her surviving the following as her only legal heirs and legal representatives as per the Hindu Succession Act 1956 and none else would inherit the Estate of the deceased, had she died intestate:-

<u>Sl. No.</u>	<u>Name</u>	<u>Relation</u>	<u>Address</u>
1.	Mool Chand Pasari, (since deceased)	Husband	17, Ballygunge Park, Kolkata-700 019.
2.	Ratanlal Pasari Son of late Mool Chand Pasari	Son	17, Ballygunge Park, Kolkata-700 019
3.	Bimal Kumar Pasari son of Late Mool Chand Pasari	Son	43, Landmark, Carmichael Road Mumbai -26
4.	Lalit Pasari Son of Late Mool Chand Pasari	Son	Old No. 23, new no. 51, Bishop Garden R.A Puram, Chennai- 600 028.
5.	Smt. Lalita Jhunjhunwala Wife of Nand Lal Jhunjhunwala	Daughter	P-158 Scheme VI M CIT Road, Kolkata - 700 054

4. The testatrix's husband, Mool Chand Pasari died on 14<sup>th</sup> June 1997. A copy of the Death Certificate of the Testatrix's husband Mool Chand Pasari dated 14<sup>th</sup> June 1997 is annexed hereto and marked with the letter "C".

5. The aforesaid persons are all major and sui juris and the said deceased left no other person as heir and/or heiress.



6. The deceased had left properties partly within and partly outside the Ordinary Original Civil Jurisdiction of this Hon'ble Court, to be administered by the petitioner.

7. In the facts and circumstances, the petitioner filed an application for grant of probate before this Hon'ble Court being P.L.A. No. 182 of 2010, praying for the following reliefs:-

"a) *The concerned officers and/or departments of this Hon'ble court be direct to accept the instant petition containing as annexure "A" hereto, the original of the said Will 5<sup>th</sup> March 1987 already bearing seals of this Hon'ble court as stated hereinabove;*

b) *Probate of the Last Will and Testament of the Testator abovenamed dated 5<sup>th</sup> March 1987 be granted to your petitioner with effect throughout the state of West Bengal;*

c) *Issue of Citation be dispensed with in view of none of the heirs of the Testator having an objection to the grant of prayer (a) above;*



*d) The costs of and incidental to this application be paid out of the Estate of the Testator abovenamed and be paid/reimbursed to your petitioner;*

*e) Such further or other order or orders be made and/or direction or directions be given as to this Hon'ble Court may seem fit and proper;*

A copy of the earlier probate petition without annexure is annexed hereto and marked with the letter "D".

8. The particulars of the said properties are set forth in the affidavit of assets affirmed by your petitioner on 28<sup>th</sup> January 2010 and part of the Probate application being P.L.A no. 182 of 2010. A copy whereof is annexed hereto and marked with the letter "E".

9. The due execution and attestation of the said Will dated 05<sup>th</sup> March 1987 was proved by the affidavit of Smt. Lalita Jhunjhunwala, one of the attesting witnesses thereto, affirmed by her on 28<sup>th</sup> January 2010 and Sri Lalit Pasari, another attesting witness thereto affirmed by him on 24<sup>th</sup> June 2009 filed with P.L.A .No. 182 of 2010.



10. Probate has been granted to the said Will dated 05<sup>th</sup> March 1987 of the deceased by an order dated 14<sup>th</sup> January 2011 passed by this Hon'ble Court and a copy of whereof is annexed hereto and marked with the letter "F".
11. The petitioner was the executor of the Will and is the eldest son of the deceased.
12. Shanti Devi Pasari used to occupy a room on the 1<sup>st</sup> floor of the premises no. 17, Ballyguange Park Road, Kolkata-19. After her death, no one occupied her room till the present. Now the great grand children of the deceased being Miss Devika Pasari & Miss Vasundhara Pasari grown up and needed separate room for them and in those circumstances, it was decided that room used by the deceased would be allotted to them. Accordingly, the room of the deceased was renovated.
13. For such renovation, the old furniture were removed. In course of removal there was, a Almirah which had to be opened. A document was discovered in the said Almirah, which the petitioner has been advised that the said document is a Codicil. In those circumstances, the present proceedings have been instituted under Section 225 of



the Indian Succession Act for Grant of Probate of the Codicil dated 14<sup>th</sup> January 1988 discovered after the Grant of Probate of the Will dated 05<sup>th</sup> March 1987.

14. The writing hereto annexed and marked with letter "G" is the Codicil dated 14<sup>th</sup> January 1988 of the testatrix in English language and character but signed in Hindi language together with the official translation of the Hindi Signature of the Testatrix. The said codicil dated 14<sup>th</sup> January 1988 was read over explained in Hindi to the testatrix by Sri Shyamal Kumar Jana Advocate. A copy of an affidavit of Shri Shyamal Kumar Jana Advocate is annexed hereto and marked with the letter "H". The said Codicil dated 14<sup>th</sup> January 1988 was duly executed by the testatrix and execution of the said Codicil dated 14<sup>th</sup> January 1988 by the said testatrix is proved by the affidavits of Om Prakash Patangi and Satish Khandelwal two of the attesting witnesses thereto. Copy whereof are annexed and filed hereto and also by their declarations made at the foot of the petition.

15. That in the said Will dated 05<sup>th</sup> March 1987 and Codicil dated 14<sup>th</sup> January 1988 the testatrix appointed me as the Executor thereof.



16. In terms of the earlier Will dated 05<sup>th</sup> March 1987, the property situated at 14, Shakespeare Sarani (Previously Theatre Road) Kolkata-700 071 was given to Mool Chand Ratanlal HUF. This was quite surprising to the petitioner inasmuch as the deceased had always represented that the property had been bequeathed to three sons namely, Sri Ratan Lal Pasari son of Late Mool Chand Pasari of 17, Ballyguange Park Road, Kolkata 700 019, Sri Bimal Kumar Pasari son of late Mool Chand Pasari of 43, Landmark, Carmichael Road Mumbai-26 and Sri Lalit Pasari son of Late Mool Chand Pasari of Old no. 23, New No. 51, Bishop Garden R.A Puram, Chennai 600 028. Now that the Codicil dated 14<sup>th</sup> January 1988 has been discovered, the petitioner can understand why the deceased, would say that.

17. All the persons mentioned in paragraph 3 herein above are all major and sui juris. There is no other relation or heir or heirress or next to kin of the deceased who can claim to be interested in the estate of the deceased in the due administration of the assets and credits of the deceased.





18. The heirs mentioned in paragraph 3 herein above of the deceased are also the beneficiary of the Will dated 5<sup>th</sup> March 1987.
19. In terms of the Will dated 5<sup>th</sup> March 1987, the beneficiary of the premises no. 14, Shakespeare Sarani ( Previously Theatre Road) Kolkata-700 071 was M/s Mool Chand Ratanlal HUF. The Karta of M/s Moolchand Ratanlal HUF has affirmed an affidavit annexed and filed hereto signifying its consent to grant of the Codicil dated 14<sup>th</sup> January 1988 of the deceased in favour of the petitioner.
20. The beneficiaries to the Codicil dated 14<sup>th</sup> January 1988 with regard to premises No. 14, Shakespeare Sarani ( Previously Theatre Road) Kolkata-700 019 being Sri Ratan lal Pasari son of Late Mool Chand Pasari of 17, Ballyguange Park Road, Kolkata 700 019, Sri Bimal Kumar Pasari son of late Mool Chand Pasari of 43, Landmark, Carmichael Road Mumbai-26 and Sri Lalit Pasari son of Late Mool Chand Pasari of Old no. 23, New No. 51, Bishop Garden R.A Puram, Chennai 600 028 have affirmed affidavits annexed and filed hereto signifying their consent to the grant of probate of the codicil dated 14<sup>th</sup> January 1988 of the deceased abovenamed in favour of your Petitioner.



21. The particular of the assets of the said deceased which are likely to come to the hands of the petitioner under the codicil dated 14<sup>th</sup> January 1988 is set out in the affidavit of assets affirmed by your petitioner on 3<sup>rd</sup> July 2013 and to the best of your petitioner's information, knowledge and belief the gross value of the asset is Rs.12,93,200 (as per book value).

22. No intimation has been received by this Hon'ble Court or from any other High Court or District Court of any grant of Probate of any Codicil dated 14<sup>th</sup> January 1988 after grant of Probate of the Will dated 5<sup>th</sup> March 1987 of the deceased with effect throughout the Union of India as will appear from the certificate of the Registrar which is hereto annexed and marked with the letter "I".

23. To the best of your petitioner's knowledge, no application has been made to any court in the Union of India for grant of Probate of the Codicil dated 14<sup>th</sup> January 1988, or letters of Administration of the Estate of the deceased after grant of Probate of the Will dated 5<sup>th</sup> March 1987.

24. The ad valorem duty payable on the valuation of the estate of the deceased abovenamed as set forth in the affidavit of assets has



been duly paid as would appear from the certification of the Registrar annexed hereto and marked with the letter "J".

25. In the above premises, your petitioner submits that this Hon'ble court will be pleased to pass necessary direction and/or directions that the probate of the Codicil of the deceased dated 14<sup>th</sup> January 1988 be granted to your petitioner on the basis of the original copy of the Codicil dated 14<sup>th</sup> January 1988 which is an authenticated copy of the Codicil of Shanti Devi Pasari, the deceased.

26. This application is bonafide and made in the interest of Justice.

In the premises, your petitioner humbly prays before your Lordships for an order that:-

(a) The Probate of the Codicil dated 14<sup>th</sup> January 1988 of the deceased abovenamed be granted to your petitioner on the basis of the original thereof by this Hon'ble Court with effect throughout the Union of India;



b) Issue of Citation be dispensed with in view of none of the heirs of the Testator having an objection to the grant of prayer (a) above;

c) Such further order or orders be made and/or direction or directions be given as to this Hon'ble Court may deem fit and proper.

And your petitioner as in duty bound shall ever pray.

*Abhijit Saha*  
ADVOCATE FOR THE PETITIONER

*Ref. to Pet.*



VERIFICATION

I, Ratan Lal Pasari, son of Late Mool Chand Pasari, aged about 73 Years by faith Hindu, by occupation business, residing at 17, Ballygunge Park, Kolkata- 700019, (previously of 4A, Rainey Park, Kolkata 700 019). the executor of the Will dated 14<sup>th</sup> January 1988 and codicil dated 14<sup>th</sup> January 1988 of the deceased abovenamed do hereby declare that what are stated in paragraphs 1 to 24 of the foregoing petition are true to the best of my information and belief and rest are my humble submission before this Hon'ble Court.

I sign this verification at 6, Old Post Office Street, Kolkata - 700 001, on this the 7<sup>th</sup> day of August, 2013

Rat Lal Pasari



DECLARATION

I Om Prakash Patangi son of Sri Ram Patangi aged about 57 years, by faith Hindu, by occupation service residing at 26/14 Sailendhar Road Patuwa Para, Liluah Howrah 711 294 and presently residing at 10, Pannajal Basak Lane, Bally, Howrah 711 204 is one of the attesting witness of the Codicil dated 14<sup>th</sup> January 1988 do hereby state that I was present and saw the testatrix executing the said Codicil dated 14<sup>th</sup> January 1988 and I signed therein as witness.

Dated this the 7<sup>th</sup> day of August 2013.

I sign this verification at 6, Old Post Office Street, Kolkata - 700 001, on this the 7<sup>th</sup> day of August 2013



Om Prakash Patangi

## DECLARATION

I Satish Khandelwal, son of Jagdish Prasad Khandelwal aged about 69 years, by faith Hindu, by occupation service residing at 34, Vivekananda Road, Kolkata 700 007 is one of the attesting witness of the Codicil dated 14<sup>th</sup> January 1988 do hereby state that I was present and saw the testatrix executing the said Codicil dated 14<sup>th</sup> January 1988 and I signed therein as witness.

Dated this the 7<sup>th</sup> day of August 2013.

I sign this verification at 6, Old Post Office Street, Kolkata - 700 001,  
on this the 7<sup>th</sup> day of August 2013 *Satish Khandelwal*





10-17-2011

### ANNEXURE - 'A'

This is the only Will and Testament made by me. S. Shanti Devi Pasari, wife of Sri Motchand Pasari at present residing at 4A, Rainy Park Calcutta-700019 and by occupation a Hindu housewife do hereby declare as under:

1) I have not made any Will earlier so far as I remember but however, I revoke all Will and Testament disposition if any therein before made by me and declare this to be my last Will and Testament.

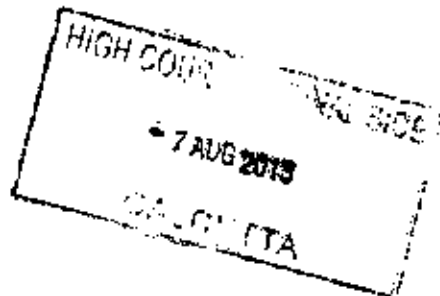
2) I appoint my eldest son Sri Pratanlal Pasari as the Executor of this Will.

3) I desire that the Estate left by me should be distributed in the following manner:

a) Rs. 1,50,000/- (Rupees one lakh fifty thousand) only shall be paid to my daughter Smt. Lalita Devi Ghungphusala.

b) The balance of my Estate left excluding Jewellery and Ornaments and house property at 4A, Theate Road, Calcutta-71, after distribution of Rs. 1,50,000/- as stated above and also after paying all liabilities for Income Tax, Wealth Tax, Estate

Shy...





2

Duty etc. shall be distributed equally amongst my three Daughter-in-law viz, Smt. Indu Devi Pasari, w/o. Sri Pratankul Pasari, Smt. Sushila Devi Pasari, w/o. Sri Bimal Kumar Pasari and Smt. Anupama Devi Pasari, w/o. Sri Lalit Kumar Pasari.

1) Howe property at 14 Shakespeare Sarani Calcutta-700011 and Jewellery both diamond ornaments and Gold Ornaments shall vest with Mrs. Meekhand Pratankul HUF.

This is further to state that Executor shall be at liberty to pay the aforesaid sum of Rs. 150,000/- to Smt. Lalita Devi Ghungunwala and estimated sum of my three Daughter-in-law as mentioned above even before paying the liabilities for taxes and Estate Duty but in that case if the amount found payable towards taxes and Estate Duty shall exceed the residual of the Estate left, the same shall be borne by my three Daughter-in-law proportionately. However, the liability will be restricted to the amount received by them out of my Estate.

Witness:

Signature in Hindi

Pratankul Pasari

5-3-87

Bimal Kumar Pasari

5-3-87

Sd/- Illegible 5-3-87

Lalita Ghungunwala 5-3-87



This is the only WILL and TESTAMENT made by me.  
Shanti Devi Pasari, wife of Sri Moolchand Pasari at  
present residing at 4A, Rainy Park, Calcutta - 700019

✓	✓	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✓

Shanti Devi Pasari  
5-3-87

A True Translation of the annexed  
Eng. Will with Hindi signature  
bearing Regd. no. 105/10  
Sd/- Anja Banerjee  
Translator  
High Court, O.S., Calcutta  
Dated 19<sup>th</sup> day of July '10.

True copy carefully collated the 12<sup>th</sup>  
14<sup>th</sup> day of January in the year 2011  
with the original Will and the official  
translation of Hindi signature of  
the testatrix mentioned in the  
registry of the High Court in  
Calcutta.

P.R. [Signature] 2011  
Registrar  
HIGH COURT, O. S.  
CALCUTTA



Shanti  
Sd/- by  
Sd/- T.D.

Paras

S. P. No. - H. D. 1  
1,00,000-13

# ANNEXURE - 'B'

S. No 11948



## C CORPORATION OF MADRAS

சென்னை மாநகராட்சி

HEALTH DEPARTMENT  
சுகாதாரத் துறை

B & D No. A 112131/88

Certificate of Death Issued under Section 12  
Issued under Section 17 of the Registration of Births  
and Deaths Act, 1969.

1969-ஆம் ஆண்டு பிப்ரவரி, இறப்பு சட்டத்தின் 12/17-ஆவது பிரிவுகளின்  
இறப்பு சான்று விதி அமலாக்கப்படுகிறது.

This is to certify that the following information has been taken from  
the original record of death which is in the register for Division 134 of  
the Corporation of Madras of the State of Tamil Nadu, S. India.

1. Name **MRS. SHANTHI DEVI**
2. Sex **Female**
3. Date of death **21-6-88 at 7-00 A.M.**
4. Place of death **54. Bishop garden, R.A. puram, Madras-28.**
5. Registration No. **94**
6. Date of Registration **29-6-88**
7. Name of Father / Mother / Husband **MOOL CHAND PASARI**
8. Nationality **Indian**
9. Permanent Address **54. Bishop garden, R.A. puram, Madras-28.**

V. Kasthuri

NO. 131 to 134 Dns

Signature of the Issuing Authority **5/7**  
Health Officer  
Corporation of Madras

சுகாதார அலுவலர்  
சென்னை மாநகராட்சி

ASSISTANT HEALTH OFFICER  
CIRCLE XIV

CORPORATION OF MADRAS



Note: - Circle XIV, No disclosure shall be made of particulars  
of death as entered in the register.

குறிப்பு: - இவ்வகட்டில் பதிவு செய்யப்பட்ட இறப்புகளின் பற்றிய விவரம் வெளியிடப்படாது.



HIGH COURT ORIGINAL SIDE

7 AUG 2013

CALCUTTA

# ANNEXURE - e

Form No. 10



THE CALCUTTA MUNICIPAL CORPORATION  
HEALTH DEPARTMENT



No 021868

## CERTIFICATE OF DEATH

As per format under Section-12/Section-17 of the Registration of Births and Deaths Act, 1909.

This is to certify that the following information has been taken from the original record of death which is in the Register for.....

under The Calcutta Municipal Corporation (Local Area).

Registration No. NW.T. 436

Name Mool Chand Pasari

Sex M

Spouse of Late B. Pasari

Date of death 14/6/97 Date of Registration 14/6/97

Place of Death (Full Address) Gramma Chandari Health  
are Cal-17

Residence 17 Ballygunge Park Road Cal-19

P.S. Karajia

Prepared by

Head Assistant

Dated 14/6/97

Signature of the Issuing Authority  
C. M. C.  
N. B. G.

Note - In the case of Death no disclosure regarding the cause of death registered in the Register is to be made (under Sub-Section 17(1) of RND Act, '09)

C. P. - 225-18-11-96-50,000.



HIGH COURT, OPPOSITIVE SIDE  
7 AUG 2013  
CALCUTTA

# ANNEXURE - (D)

P.L.A. NO. 182 OF 2010

IN THE HIGH COURT AT CALCUTTA

## TESTAMENTARY AND INTESTATE JURISDICTION

In the Goods of :

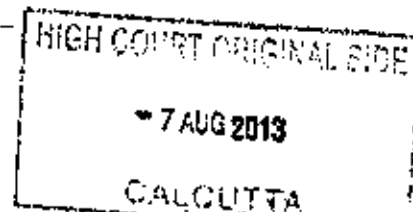
SMT. SHANTI DEVI PASARI, lately  
residing at 4A, Rainey Park, Kolkata -  
700 019-Hindu inhabitant.

... DECEASED  
TESTATOR

To

The Hon'ble Mr. Jainarayan Patel, Chief Justice and His Companion  
Justices of the said Hon'ble Court.

The humble petition of Ratan Lal  
Pasari, son of Mool Chand Pasari,  
since deceased, residing at 17,  
Ballygunge Park Road, Kolkata - 700  
019, (previously of 4A, Rainey Park,  
Kolkata - 700 019) by occupation  
Businessman being the Executor  
named in the Last Will and  
Testament dated 5<sup>th</sup> March, 1987 of  
the Testator abovenamed most  
respectfully -



SHEWETH:

1. The Testator abovenamed, who was a Hindu governed by the Mitakshara School of Hindu law ~~did~~ died on 21st June, 1988 at my younger brother's then residence at 54, Bishop Garden, R. A. Puram, Madras - 600 028 after duly publishing her Last Will and Testament in English language and character dated 5th March, 1987 (hereinafter referred to as "the said Will") whereby she appointed your petitioner as the Executor of the said Will. The said Will in original is annexed hereto and marked "A". The Official Translation of the Testator's signature in Hindi language in the said Will is annexed hereto and marked "B". A photocopy of the relevant Death Certificate dated 5th July, 1988 issued by the Health Department, Corporation of Madras, is annexed hereto and marked "C".
2. By the said Will, the Testator abovenamed appointed your petitioner herein as the Executor of the said Will.
3. Due execution of the said Will is proved by the declaration signed at the foot of this petition by Smt. Lalita Jhunjhunwala, one of the attesting witnesses of the said Will as also by two separate Affidavits of Lalit Pasari and Smt. Lalita Jhunjhunwala, annexed hereto and marked "D" and "E" respectively.
4. The Testator abovenamed left properties both within and outside the original jurisdiction of this Hon'ble Court to be administered by the Executor.



5. The Testator's husband, Mool Chand Pasari died on 14th June, 1997. A copy of the Death Certificate of the Testator's husband, Mool Chand Pasari dated 14th June, 1997 is annexed hereto and marked "F".

6. The Testator abovenamed at the time of her death left her surviving the following as her only legal heirs and legal representatives, <sup>as per her Hindu Succession Act, 1956</sup> and none else would inherit the Estate of the deceased, had she died intestate :-

<u>Name</u>	<u>Relation to the Testator</u>	<u>Permanent Residential Address</u>
1. Mool Chand Pasari (since deceased)	Husband	17, Ballygunge Park Road, Kolkata - 700 019.
2. Ratan Lal Pasari (Executor)	Son	17, Ballygunge Park Road, Kolkata - 700 019.
3. Bimal Kumar Pasari	Son	43, Landmark, Carmichael Road, Mumbai - 26
4. Lalit Pasari	Son	Old no. 23, New no. 51, Bishop Garden, R. A. Puram, Chennai - 600 028
5. Smt. Lalita <del>Das</del> Jhunjhunwala (wife of Nand Lal Jhunjhunwala)	Daughter	P - 158, Scheme VI M, CIT Road, Kolkata 700 054.

7. The said Bimal Kumar Pasari, Lalit Pasari and Smt. Lalita ~~Das~~ Jhunjhunwala have duly made three separate Affidavits declaring that they have no objection whatsoever to the petitioner herein being appointed as the Executor of the said Last Will



and Testament dated 5th March, 1987 of the Testator abovenamed and duly acting in terms of the said Will and the Probate thereof, when granted. The said three affidavits are annexed hereto and marked "G", "H" and "I" respectively. Ratan Lal Pasari, son of the Testator abovenamed, is the petitioner herein and as such has not affirmed a separate affidavit.

8. Your petitioner has set forth in the Affidavit of Assets affirmed by your petitioner and filed herewith, the property and credits which the Testator abovenamed died possessed of or was entitled to at the time of her death and which have come or are likely to come to your petitioner's hands to the best of knowledge of your petitioner as aforesaid and the gross value of such assets will not, to the best of your petitioner's belief, exceed the sum of Rs. 14,30,10,865.43 and the net value thereof is Rs. 14,30,00,865.43/-.

9. The ad valorem duty payable on the valuation of the estate of the Testator has been paid as will appear from the Certificate of the Registrar annexed hereto and marked "J".

10. So far as your petitioner is aware and/or has been able to ascertain, there is no property or effects of the Testator other than those specified in the said Affidavit of Assets and in case of any other property or credits coming to your petitioner's hands, your petitioner undertakes to pay additional duty payable in respect thereof, if necessary.

11. No intimation has been received by this Hon'ble Court from any other High Court or District Court in the Union of India of the grant of Probate of any Will or





Letters of Administration of the property and credits of the Testator abovenamed, as will appear from the Certificate issued by the Registrar of this Hon'ble Court which is annexed hereto and marked "K".

12. To the best of your petitioner's belief, no application has been made in any other High Court or District Court in the Union of India for the grant of Probate of any Will or Letters of Administration of the property and credits of the Testator abovenamed intended to have effect throughout the Union of India.

13. The original of the said Will of the Testator abovenamed contains two seals of this Hon'ble Court which would indicate that the said Will was apparently annexed to an affidavit filed or intended to be filed in this Hon'ble Court in the year 1990. In spite of diligent efforts, the petitioner herein was unable to ascertain any particulars of the proceeding in which the original of the said Will was used as an exhibit to an affidavit affirmed by the petitioner herein on 10<sup>th</sup> July, 1990. Accordingly, the petitioner through his Advocates, Messrs. R. Ginodia & Co. caused searches to be made in the records of this Hon'ble Court. In this connection, a copy of letter dated 13<sup>th</sup> November, 2009 issued by the petitioner's Advocates to the Registrar, Original Side, High Court, Calcutta is annexed hereto and marked "L". Pursuant thereto, the petitioner's Advocates were allowed inspection of the Punching Register on 8<sup>th</sup> December, 2009. From such inspection the petitioner's Advocates came to learn that on 20th June, 1990 a petition, a proxy and two affidavits of the petitioner herein were stamped. However, the noting in the said Register does not contain the number of the proceeding. The petitioner is unable to recall, after a lapse of 20 years, the proceeding, if any, or the purpose for which the original of the said Will was used as an exhibit. To the best of the knowledge, belief and



recollection of the petitioner, your petitioner has not applied for grant of Probate or Letters of Administration in respect of the said Will of the Testator dated 5th March, 1987 or made any application with regard to the estate of the deceased. In any event, the Registrar of this Hon'ble Court has duly issued a Certificate in terms of Chapter XXXV Rule 4(1) (b) of the Original Side Rules of the High Court at Calcutta, which is annexure "K" hereto.

14. Your petitioner states that as the Testator died on 21st June, 1988, no estate duty certificate is required to be filed in this case.

15. Your petitioner states that this Hon'ble Court has jurisdiction to entertain this application and as such prays that Probate of the Last Will and Testament of the Testator abovenamed dated 5th March, 1987 be granted to your petitioner having effect throughout the Union of India.

Your petitioner, therefore, humbly prays

Your Lordships for an order that :

- a) The concerned officers and/or departments of this Hon'ble Court be directed to accept the instant petition containing as annexure 'A' hereto, the original of the said Will dated 5th March, 1987 already bearing seals of this Hon'ble Court as stated hereinabove;



6

b) Probate of the Last Will and Testament of the Testator abovenamed dated 5th March, 1987 be granted to your petitioner with effect throughout the <sup>State of West Bengal</sup> ~~Union~~ of India;

c) Issue of citation be dispensed with in view of none of the heirs of the Testator having any objection to the grant of prayer (a) above;

d) The costs of and incidental to this application be paid out of the Estate of the Testator abovenamed and be paid / reimbursed to your petitioner;

e) Such further or other order or orders be made and/or direction or directions be given as to this Hon'ble Court may seem fit and proper.

And for this act of kindness, your petitioner, as in duty, bound shall ever pray.

R. Guindia & Co.  
PETITIONER'S ADVOCATES

Ratan Lal Dasari



VERIFICATION

I, Ratan Lal Pasari, the petitioner abovenamed do hereby declare that the statements contained in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of the foregoing petition are true to the best of my information and belief and those contained in paragraphs 13 and 14 <sup>and 15</sup> thereof are my humble submissions before this Hon'ble Court.

I sign this Verification at 7C, Kiran Shankar Roy Road, Kolkata - 700 001 this day of 15<sup>th</sup> July, 2010.

*Ratan Lal Pasari*



I, Smt. Lalita Jhurjhunwala, one of the attesting witnesses to the Last Will and Testament of the Testator abovenamed dated 5th March, 1987 mentioned in the foregoing petition do hereby declare that I was present at the time of execution of the said Will and saw the Testator abovenamed affix her signature thereto in my presence at the same time.

Dated this 19<sup>th</sup> day of July, 2010.

Lalita Jhurjhunwala



P.L.A. NO. 182 OF 2010  
IN THE HIGH COURT AT CALCUTTA  
TESTAMENTARY AND INTESTATE JURISDICTION

In the Goods of :

SMT. SHANTI DEVI PASARI, lately  
residing at 4A, Rainey Park, Kolkata -  
700 019-Hindu inhabitant.

... DECEASED  
TESTATOR



PETITION

R. Ginodia & Co.,  
Advocates,  
7C, Kiran Shankar Roy Road,  
Kolkata - 700 001.

# ANNEXURE - 'E'

P. L. A. NO. 187 OF 2010

IN THE HIGH COURT AT CALCUTTA

TESTAMENTARY AND INTESTATE JURISDICTION

In the Goods of :

SMT. SHANTI DEVI PASARI, lately  
residing at 4A, Rainey Park, Kolkata -700  
019 - Hindu inhabitant.

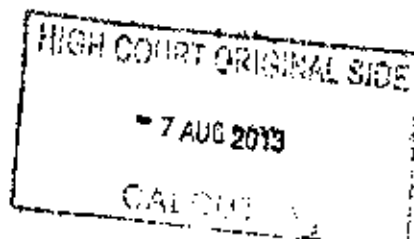
DECEASED  
TESTATOR

I, Ratan Lal Pasari, son of Mool Chand Pasari, since deceased, presently residing at 17, Ballygunge Park Road, Kolkata - 700 019 (previously of 4A, Rainey Park, Kolkata - 700 019), do hereby solemnly state and affirm as follows :

1. The Testator abovenamed died on 21st June, 1988 at my younger brother's then residence at 54, Bishop Garden, R. A. Puram, Madras - 600 028.
2. Prior to her death, the Testator had made and published her last Will and Testament dated 5th March, 1987 (hereinafter referred to as "the said Will") whereby she appointed your petitioner as the Executor of the said Will.
3. I have truly set forth, as far as I am aware of and have been able to ascertain, in Annexure 'A' hereunder appearing all the properties and credits which the Testator abovenamed died possessed of and/or was entitled to at the time of her death and which



*Ca*



have come or are likely to come to my hand as such Executor should Probate of the said Last Will and Testament of the Testator abovenamed be granted to me.

4. I further say that I have also truly set forth in Annexure 'B' hereunder appearing, all the items which I am by law entitled to deduct.

5. I further say that the said assets exclusive only of the said items set forth in Annexure "B" hereunder appearing, but inclusive of all the rents, interests, dividends and increased values upto the date of death of the Testator are truly set forth hereinbelow. The net value thereof is Rs. 14,30,00,865.43.

Annexure 'A'

(Valuation of the movable and immovable properties of the Testator)

Amount

Part - I

Cash in the house and at the Banks, household goods,  
wearing apparel, books, plates, jewels, etc.

1. Cash at Bank in :

Savings Account no. PS 446 with UCO Bank of 2, India

Exchange Place Kolkata - 700 001.

Rs. 725.43

2. a) Diamond Jewellery (as per Valuation Report dated 17th

February, 2009 being annexure "X - 1" to this Affidavit).

Rs. 7,43,177.00





b) Gold, gold ornaments, etc.  
(annexure "X - 1" to this Affidavit)

Rs. 18,42,664.00

PART - II

Properties in Government Securities transferable at the  
Public Debt Office.

NIL

Part - III

ALL THAT land measuring about 1 Bigha, 9 Cottaks, 2  
chittacks and 40 square feet being premises no 14,  
Shakespeare Sarani, Kolkata - 700 071 together with the  
buildings and structures constructed thereon and butted  
and bounded as follows :

On the North - by Theatre Road;

On the East - partly by premises no 16, Shakespeare  
Sarani and partly by premises no i.

Little Russel Street;

On the South - by premises no. 12, Shakespeare Sarani;

and

On the West - by premises no. 12, Shakespeare Sarani;

Rs. 14,00,00,000.00



Part-IV

Leasehold property

NIL

Part - V

1. Property in Public Companies

NIL

2. Property in Private Companies

NIL

Part - VI

Policy of Insurance upon Life, money put on Mortgages  
and other securities, such as bonds, mortgages, bills, notes  
and other securities for money.

NIL

Part - VII

Book Debts

Messrs. Banwarilal Pasari of 16, India Exchange Place,  
Kolkata- 700 001

Rs. 4,24,299.00

Part - VIII

Stock in Trade

NIL



Part-V

Other properties not subject to duty.

NIL

Total Rs. 10,000.00

6. The statements contained in paragraphs 1 to 5 of the foregoing affidavit and in Annexures 'A' and 'B' hereinbefore set out are all true to my knowledge.

Solemnly affirmed by the said

Ratan Lal Pasari in the Court

House at Calcutta on this 28<sup>th</sup>

day of January, 2010.

*Ratan Lal Pasari*

Before me,  
*[Signature]*  
Commissioner



*Manish Kumar Mehta*  
Regd. No. WJ0011 KOL-KW01-XV183  
Regn of VALMICKAI-1X2007-08

*M. K. Mehta & Co.*  
(Government Approved Valuer of Jewellery)  
57A, AUROBINDA SARANI, (3RD FLOOR), KOLKATA-700 005  
PHONE : 2555-5291, 2555-7821, MOBILE : 98300 13120

This is to certify that **MIR RATANLAL PASARI & OTHERS (EXECUTOR TO THE ESTATE OF LATESANTI DEVI PASARI)** residing at **17 BALLYGUNGE PARK ROAD CALCUTTA 700019** brought the following jewellery and ornaments for valuation for **LETTER OF ADMINISTRATION**

Said to be the sole owner **असंगतपत्नी** and valued as on **17th February, 2009**

Dated : 17th February, 2009

Item No.	DESCRIPTION	PRECIOUS METAL			PRECIOUS STONES			Gross Wt. Gms.	Total Value of Jewellery in Rupees
		Description	Met Wt. Approx	Value of Metal in Rupees	Description	Net Wt. Approx	Value of Stones		
1	Two Bangles set with diamonds in gold and white metal.	18 Ct Gold White Metal	19.800 15.500	19,919/- 3,209/-	Diamonds	Cts. 13.00	1,00,100/-	37.900	1,23,228/-
2	One Necklace set with diamonds in gold and white metal.	18 Ct Gold White Metal	14.700 6.000	14,788/- 1,242/-	Diamonds	Cts. 16.00	4,52,000/-	23.900	1,68,030/-
3	One pair of Ear-tops set with diamonds in white metal.	White Metal	1.900	393/-	2Pcs Diamonds	Cts. 3.00	99,000/-	2.500	99,393/-
4	One Nose-pin set with a diamond in gold and white metal.	18 Ct Gold White Metal	0.100 0.200	101/- 41/-	1Pc Diamond	Cts. 1.00	28,000/-	0.500	28,142/-
5	One Ring set with a diamond in white metal.	White Metal	4.900	1,014/-	1Pc Diamond	Cts. 3.00	1,65,000/-	5.500	1,66,014/-
6	Four Bangles set with diamonds in gold enamelled.	18 Ct Gold	87.200	87,723/-	Diamonds	Cts. 4.00	30,800/-	88.000	1,18,523/-
7	Two Rings set with diamonds and emeralds in gold.	18 Ct Gold	7.300	7,344/-	Diamonds Emerald(s)	Cts. 2.00 Cts. 1.00	15,400/- 440/-	7.900	23,184/-
8	One Nath set with diamonds in white metal.	White Metal	6.100	1,263/-	Diamonds	Cts. 2.00	15,400/-	6.500	16,663/-
		(Rupees Seven Lakhs Forty Three Thousand One Hundred Seventy Seven Only)							7,43,177/-

I hereby declare that

the above-mentioned description of the items is true and correct to the best of my knowledge and belief and that the same are as shown in the schedule attached herewith.

Manish Kumar Mehta  
(MANISH KUMAR MEHTA)



List of Gold, gold ornaments. etc.

1. Churi
2. Kara
3. Chap
4. Patla
5. Punchi
6. Pacheli
7. Kanthi
8. Har
9. Earrings
10. Tagdi
11. Tamke
12. Chap with Pather – Mina-Manek-Moti etc.

Total 125 pieces

Weight about 1,458 gms

Rs. 18,34,164.00

Miscellaneous Items

Rs. 8,500.00

Rs. 18,42,664.00



P. L. A. NO. 381 OF 2010  
IN THE HIGH COURT AT CALCUTTA  
TESTAMENTARY AND INTESTATE JURISDICTION

In the Goods of:  
SMT. SHANTI DEVI PASARI, lately  
residing at 4A, Rainey Park, Kolkata 700 019  
- Hindu inhabitant.

... DECEASED  
TESTATOR

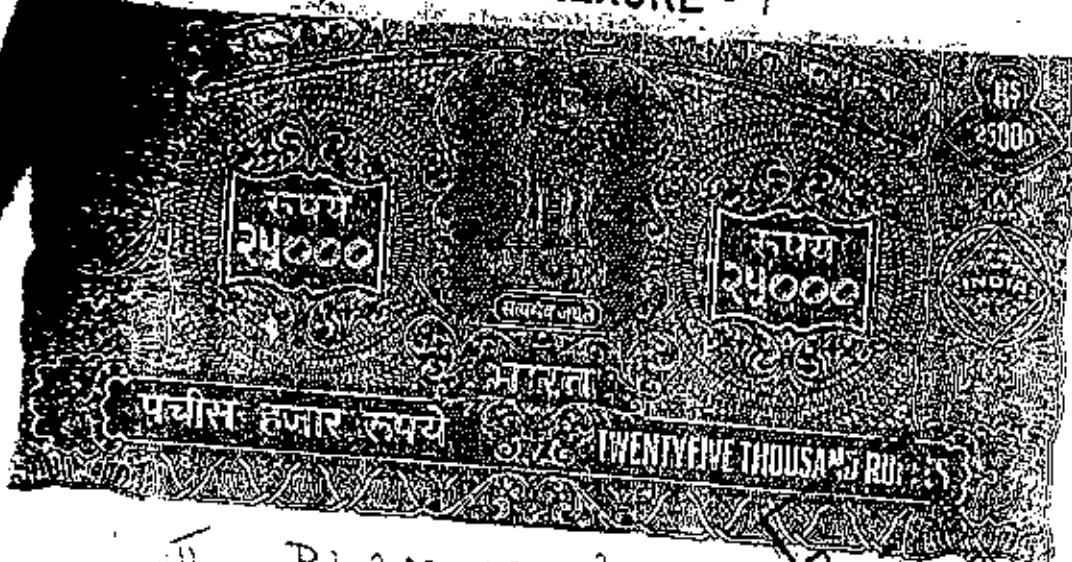
AFFIDAVIT OF ASSETS affirmed by Ratan  
Lal Pasari on this 12<sup>th</sup> day of January, 2010.



12  
19.4.2010

R. Ginodia & Co.,  
Advocate,  
7C, Kiran Shankar Roy Road,  
Kolkata - 700 001.

ANNEXURE - 'F'



5-14-13

P.L.A. No. 182 of 2010

IN THE HIGH COURT AT CALCUTTA  
Testamentary and Interstate Jurisdiction  
Probate to the Executor

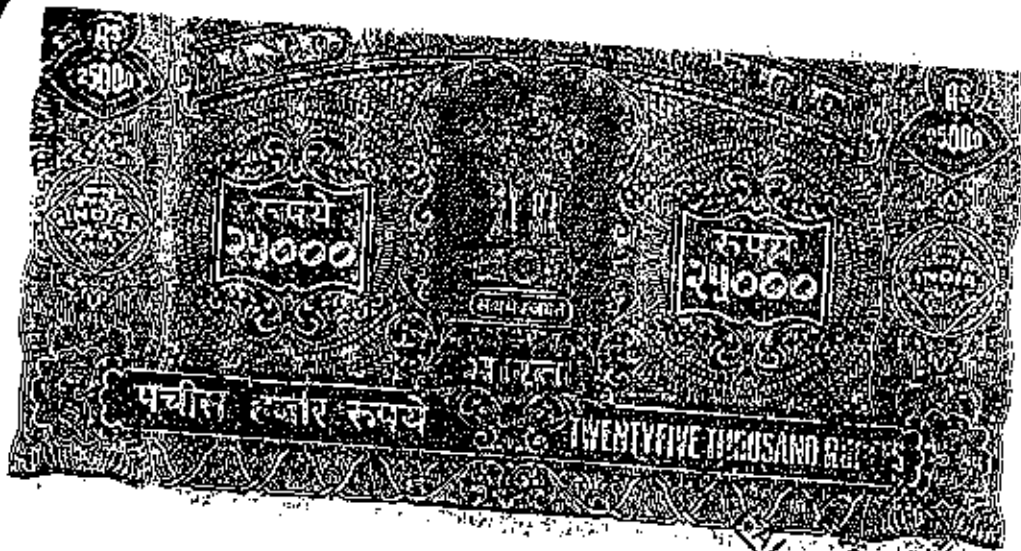
CALCUTTA  
13-14-2010

HEREBY MAKE IT KNOWN that on the twenty fourth day of December in the year two thousand and ten the last Will of Smt. Shanti Devi Pissari, lately residing at 4A, Runey Park, Kolkata-700019, Hindu inhabitant deceased who is admitted from the petition filed herein died at 54, P. Shop Garden, P.O. Puram, Matras-600028 on the twenty first day of June in the year one thousand nine hundred and eighty eight (copies of which Will and the official translation of Hindi signature of the testatrix annexed) was proved and registered before this Court and the Administration of the property and credits of the said deceased and in any way concerning her said Will was granted to Prakash Pissari, son of Mool Chand Pissari, since deceased residing at 27, Ballygunge Park Road, Kolkata-700019 (Previously of 4A, Runey Park, Kolkata-700019) by occupation - Businessman, the executor in the said Will named to the effect within the State of West Bengal

Asst.



HIGH COURT ORIGINAL SIDE  
- 7 AUG 2013  
CALCUTTA



CALCUTTA 194

he having undertaken to administer the said property and credits and to make a full and true inventory thereof and exhibit the same in this Court within six months from the date of issue of this grant or within such further time as the Court may from time to time appoint and also to render to this Court a true account of the said property and credits within one year from the same date or within such further time as the Court may from time to time appoint.

Dated at Calcutta aforesaid this the 14<sup>th</sup> day of January in the year two thousand and eleven.

R. Ghosh & Co. - Advocates.

*P. K. B.*  
14/1/2011  
Registrar.  
REGISTRAR  
HIGH COURT, O. S.  
CALCUTTA



*Handwritten signature*  
Compared by  
S. K. S. S.



'G'

by will executed and made by me on 5th  
 and attested by Sri Ratan Lal Pasari,  
 Pasari, Sri Lalit Kumar Pasari, also by  
 Khandelwala, I Smt. Shanti Devi Pasari, wife  
 Pasari, at present residing at 4A, Rainey  
 Calcutta-700019, by occupation House wife, I hereby  
 of the bequest therein contained, bequeath  
 premises no 14, Theatre Road, Calcutta-700071 unto my  
 sons namely (i) Ratan Lal Pasari (ii) Bimal Kumar  
 & (iii) Lalit Kumar Pasari, equally, absolutely  
 to the exclusion of my all heirs in place of the bequest  
 also the said premises no 14, Theatre Road, Calcutta-700071  
 under the said Will made in favour of the HUF, M/s Moolchand  
 Patanlal (HUF).

I hereby confirm that my said will and all the provisions  
 therein contained shall be construed and take effect subject  
 to the modification thereof in respect of the bequest con-  
 cerning premises no 14, Theatre Road, Calcutta-700071 and  
 the same shall be construed along with this Codicil.

In all other respects, I hereby confirm my said will.

IN WITNESS WHEREOF I, the said Shanti Devi Pasari, have signed  
 this Codicil on this 14th Day of January in the year 1988 in  
 the presence of witness hereunder who have attested the same  
 in my Presence.

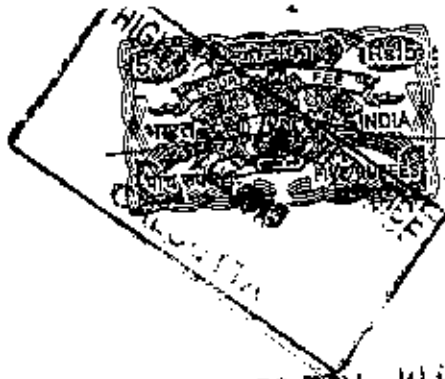
शान्ती देवी पसारी  
 ( Testatrix )

Signed by the above named Testatrix as  
 Codicil of her will executed by her on  
 5th March, 1987 in our presence at same  
 time and each of us has in the presence  
 of the Testatrix signed our name hereunder  
 as attesting witness.

WITNESS

- 1) MR. OM PRAKASH PATANGI  
*O.P. Patangi*  
 OMPRAKASH PATANGI  
 26/14, Baidyanath Road,  
 Patangia Para, Litchin, Howrah.
- 2) MR. SATISH KHANDLWAL  
*S. Khandelwal*  
 (SATISH KHANDLWAL)  
 34, VINGARAIANA ROAD  
 (CALCUTTA-700007)  
 14-1-1988





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BY THIS CODICIL TO MY WILL executed and made  
by me on 5th Day of March, 1987 and attested  
by Sri Ratan Lal Pasari, Sri Bimal Kumar Pasari,  
Sri Lalit Kumar Pasari, also by Smt Lalita  
Jhunjhunwala, I Smt Shanti Devi Pasari, wife  
of Sri Moolchand Pasari, at present residing  
at 4A, Rainey Park, Calcutta-700019, x x x

x x x x x x x x x x  
x x x x x x x x x x  
x x x x x x x x x x

Smt Shanti Devi Pasari

x x x x

x x x x x  
x x x x x  
x x x x x

1. x x x x x  
x x x x x  
2. x x x x x  
x x x x x



COMPARED BY

Piana  
5.8.13  
A. Ghosh  
5/8/13

A true Translation of the annexed  
Beng./Eng./Hindi/Urdu will / with Hindi Signature  
Urdu / Punjabi Signature / Document / Summons.  
Bearing Regd. No. 162/2013

A. Ghosh  
07/08/2013  
Ses. Interpreting Officer (Court.)

# ANNEXURE - 'H'

P. L. A. No. \_\_\_\_\_ of 2013  
IN THE HIGH COURT AT CALCUTTA  
Testamentary and Intestate Jurisdiction



22

## IN THE GOODS OF:

Smt Shanti Devi Pasari, lastly  
resided at 4A, Rainey Park,  
Kolkata 700019, since deceased a  
Hindu inhabitant.

I, Shyamal Kumar Jana, son of Nitai Chandra Jana, aged about 55 years, by faith Hindu, by occupation Lawyer residing at 31/4, Kajibagan Lane (Thakur Ramkrishna Lane) Santragachi, 42 Shibpur Howrah 711 104, do hereby solemnly affirm and say as follows:

1. I am a practicing Advocate in the Hon'ble High Court at Calcutta. I say that on 14<sup>th</sup> January 1988, I have read over and explained the Codicil dated 14<sup>th</sup> January 1988 written in English Language to the deceased above named in presence of the O.P. Patangi and Sri Satish Khandelwal the two attesting witnesses in the codicil of the deceased abovenamed dated 14<sup>th</sup> January 1988.

2. I say that thereafter at the request of the said deceased, I signed in presence of the other two attesting witnesses at the foot of



1-01

the said Codicil dated 14<sup>th</sup> January 1988 in the residence of the deceased as specified herein above. The said original codicil is annexed to the petition for grant of probate in favour of Ratan Lal Pasari. A Photo Copy of the Voter Identity Card Shyamal Kumar Jana being no. KCL0335059 issued by the Election Commissioner Of India is annexed hereto and marked with the letter "A".

3. I further state that at the time of the execution of the said codicil dated 14<sup>th</sup> January 1988 the deceased abovenamed was in sound state of health and mind.

4. The statements contained in paragraphs 1 to 3 herein above are true to my knowledge.

Solemnly affirm by the said Shyamal Kumar Jana in the court house at Calcutta on this the <sup>August</sup> 2nd day of ~~July~~, 2013.

*Shyamal Kumar Jana*

BEFORE ME

*Photo*

COMMISSIONER



*2-2*

ভাৰতীয় নিৰ্বাচন কমিছন  
भारतीय निर्वाचन आयोग  
ELECTION COMMISSION OF INDIA  
IDENTITY CARD  
KCL0335059



নিৰ্বাচকৰ নাম : শ্যামসুন্দৰ জাণ  
Elector's Name : Shyamakumar Jana  
পিতাৰ নাম : নিচাচিণ্ডা জাণ  
Father's Name : Nishachandra Jana  
লিঙ্গ / Sex : পুৰ / M  
জন্ম তাৰিখ  
Date of Birth : 21/09/1958

HIGH COURT ORIGINAL SIDE  
- 2 AUG 2013  
CALCUTTA

*Shyamakumar Jana*

Identified by me  
Abhijit Sarkar  
Advocate

KCL0335059  
বিত্তস্থান:  
31/4 কলীভাগান লেন ( ১৩৫৫ হাৰাধাৰ লেন )  
শিলপুৰ, ৪২ শিলপুৰ হোৱাৰা ৭১১১০৪  
Address:  
31/4 Kallbagan Lane ( Tharur  
Ramkrishna Lane ) Santagachi, 42  
Shilpur Howrah 711104  
Date: 10/08/2013  
১৪-০৮-২০১৩ তাৰিখ  
ফাৰ্মিলাৰিছ স্বাক্ষৰৰ ব্যৱস্থা  
Facsimile Signature of the Elector  
Registration Officer for  
14-Howrah South Constituency  
নিৰ্বাচন পঞ্জীয়নৰ বাবে সঠিক বিৱৰ্তন : কোনো ক্ষেত্ৰত  
কোনো এটা স্বাক্ষৰৰ ব্যৱস্থা লৈছিল যদিও  
যদি কোনো ক্ষেত্ৰত এটা স্বাক্ষৰৰ ব্যৱস্থা লৈছিল  
in case of change in address, return the Card No  
in the relevant Form for including your name in the  
list of the changed address and to obtain the card  
with same number.



*Shyamakumar Jana*

Annexure A ..... reference  
in the Pleading / Affidavit  
Affirmed by Shyamakumar Jana  
On the.....  
On the 2nd day of August  
2013.....

Before me  
*As*

PL A No. of 2013

IN THE HIGH COURT AT CALCUTTA

TESTAMENTARY AND INTESTATE

JURISDICTION

IN THE GOODS OF:

Smt Shanti Devi Pasari, lastly resided at  
4A, Rainey Park, Kolkata 700019, since  
deceased a Hindu inhabitant .

Affidavit of Shyamal Kumar Jana  
affirmed on this the 2nd day of ~~July~~ August  
2013.



*Abhijit Sarkar*  
Advocate  
6, Old Post Office Street,  
Room No. 17E, (Basement),  
Calcutta - 700 001.

I

No. 307.

**IN THE HIGH COURT AT CALCUTTA**  
**Testamentary and Intestate Jurisdiction**

In the goods of  
SMT. SHANTI DEVI PASARI, lastly resided at  
4A, Rainey Park, Kolkata-19, since deceased,  
a Hindu inhabitant.

At the request of

*Abhijit Sarkar,*

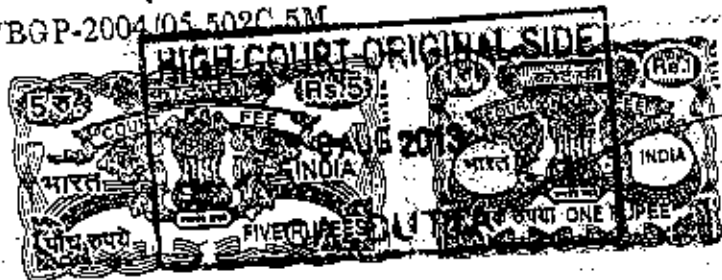
deceased.

Advocate of this Court, I do hereby certify that no intimation has been received by this Court from any other High Court or any District Court in the Indian Union, of any grant of Probate of any Will or Letters of Administration of the property and credits of the abovenamed deceased with effect throughout the whole of the Union of India.

Dated this *Sixth* day of *August*, Two thousand and *Twelve*.

*[Signature]*  
06.08.2013  
for Registrar.  
*[Signature]*  
06/8/13.

WBGP-2004/05-502C-5M



'I'

No. 307.

**IN THE HIGH COURT AT CALCUTTA**

**Testamentary and Intestate Jurisdiction**

In the goods of  
SMT. SHANTI DEVI PASARI, lastly residing at  
4A, Rainey Park, Kolkata-19, since deceased,  
a Hindu inhabitant.

At the request of

deceased.

*Abhijit Sarkar,*

Advocate of this Court, I do hereby certify that no intimation has been received by this Court from any other High Court or any District Court in the Indian Union, of any grant of Probate of any Will or Letters of Administration of the property and credits of the abovenamed deceased with effect throughout the whole of the Union of India.

Dated this *Sixth* day of *August*, Two thousand and  
*Twelve*.

*AK*  
*06.08.2013*  
for Registrar.  
*SK*  
*06/8/13.*

WBGP-2004/05-5020-5M

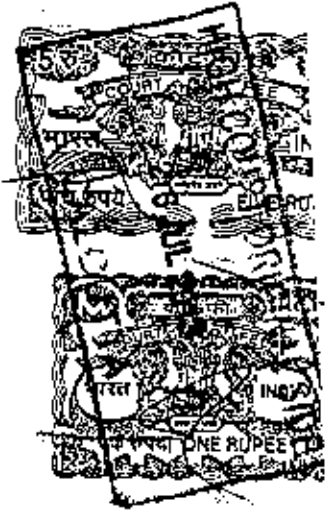


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'J'



IN THE HIGH COURT AT CALCUTTA  
Testamentary and Intestate Jurisdiction

28

In the Goods of: *Smt. Shanti Devi Pasari,*  
*lastly resided at 4A, Rainey Park,*  
*Kolkata 700019, since deceased a*  
*Hindu inhabitant*

.....deceased.

The <sup>maximum</sup> ad-valorem fee payable on the valuation of the property amounting to  
Rs. 50,000/- (Rupees Fifty Thousand Only)  
has been paid.

Dated this 26th day of July 2013.

*for* 26/07/2013  
Registrar O.S.



ATED  
state

9

P L A No. of 2013

IN THE HIGH COURT AT CALCUTTA

Testamentary and Intestate Jurisdiction

IN THE GOODS OF:

Smt. Shanti Devi Pasari, lastly resided

at 4A, Rainey Park, Kolkata 700019,

since deceased a Hindu inhabitant.

**P E T I T I O N**



*Abhijit Sarkar,*  
Advocate,  
6, Old Post Office Street,  
Room No. 17 E (Basement)  
Kolkata- 700 001



180  
A.A.

127

P. L. A. No. of 2013  
IN THE HIGH COURT AT CALCUTTA  
Testamentary and Intestate Jurisdiction

IN THE GOODS OF:

Smt. Shanti Devi Pasari, lastly  
resided at 4A, Rainey Park,  
Kolkata 700019, since deceased a  
Hindu inhabitant deceased.

I, Ratan Lal Pasari, son of Late Mool Chand Pasari, aged about 73  
Years by faith Hindu, by occupation business, residing at 17,  
Ballygunge Park, Kolkata- 700019, (previously of 4A, Rainey Park,  
Kolkata 700 019) do hereby solemnly affirm and say as follows:-

1. That Shanti Devi Pasari, the deceased above named, who  
during her life time and at the time of her death was a Hindu  
governed by the Mitakshara School of Hindu Law died on 21<sup>st</sup> June  
1988 at my younger brother's the then residence at 54, Bishop  
Garden R.A Param, Madras after having made and published her last  
Will and Testament in English Language and character dated the 3<sup>rd</sup>  
March 1987, which has been probated. The present proceeding is for



1-8

grant of Probate of the subsequently discovered Codicil dated 14<sup>th</sup> January 1988.

2. That in the said Will dated 5<sup>th</sup> March 1987 and Codicil dated 14<sup>th</sup> January 1988, the testatrix appointed me as the Executor thereof. Photo Copy of the Passport of Ratanlal Pasari son of Late Moolchand Pasari residing at 17, Ballygunge Park Kolkata 700 019 (previously of 4# Rainey Park, Kolkata- 700019) being the executor of the will dated 5<sup>th</sup> March 1987 and Codicil dated 14<sup>th</sup> January 1988 of Smt. Shanti Devi Pasari is annexed hereto and marked with letter "A".

3. That I have truly set forth in the Schedule "A" to this affidavit all the properties and credit to my knowledge <sup>to me</sup> and the deceased had, possessed of and was entitled to at the time of her death and which have come or likely to come in my hands pursuant to the Codicil.

4. That I have truly set forth in Schedule "B" to this affidavit all the items which I am by law allowed to deduct.

5. That I further say that the said Assets are exclusive of all rents, interest dividends and increased value thereof since the death of the said deceased and valued at Rs. 12,93,200.00



grant of Probate of the subsequently discovered Codicil dated 14<sup>th</sup> January 1988.

2. That in the said Will dated 5<sup>th</sup> March 1987 and Codicil dated 14<sup>th</sup> January 1988, the testatrix appointed me as the Executor thereof. Photo Copy of the Passport of Ratanlal Pasari son of Late Moolchand Pasari residing at 17, Ballygunge Park Kolkata 700 019 (previously of 46 Rainey Park, Kolkata- 700019) being the executor of the will dated 5<sup>th</sup> March 1987 and Codicil dated 14<sup>th</sup> January 1988 of Smt. Shanti Devi Pasari is annexed hereto and marked with letter "A".

3. That I have truly set forth in the Schedule "A" to this affidavit all the properties and credit to my knowledge <sup>Prudent</sup> (and) the deceased had, possessed of and was entitled to at the time of her death and which have come or likely to come in my hands pursuant to the Codicil.

4. That I have truly set forth in Schedule "B" to this affidavit all the items which I am by law allowed to deduct.

5. That I further say that the said Assets are exclusive of all rents, interest dividends and increased value thereof since the death of the said deceased and valued at Rs. 12,93,200.00



## SCHEDULE "A"

VALUATION OF MOVABLE AND IMMOVABLE PROPERTY OF THE  
DECEASED

## MOVABLE ASSETS:

SERIAL NO.	MOVABLE AND IMMOVABLE PROPERTIES	AMOUNT/ ACCOUNT
1.	Cash In Hand	NIL
2.	Cash at Bank	NIL
3.	All Jewelleries	NIL

## IMMOVEABLE ASSETS:

4.	All that Premises being no.14, Shakespeare Sarani, Kolkata 700 071. Annual Valuation 64660 X 20 times	12,93,200.00
	TOTAL	12,93,200.00
	Deduct amount shown in Schedule "B" not subject to duty	NIL
	NET TOTAL	12,93,200.00

## SCHEDULE "B"

VALUATION OF THE DEBTS OF THE DECEASED

SERIAL NO.		AMOUNT
1.	Amounts of debts due and owing from deceased, payable by law out of the Estate of the deceased abovenamed	NIL
2.	Amount of funeral expenses	NIL
3.	Shradh Ceremony	NIL
	TOTAL	NIL



787

SCHEDULE "A"  
VALUATION OF MOVABLE AND IMMOVABLE PROPERTY OF THE  
DECEASED

## MOVABLE ASSETS:

SERIAL NO.	MOVABLE AND IMMOVABLE PROPERTIES	AMOUNT/ ACCOUNT
1.	Cash In Hand	NIL
2.	Cash at Bank	NIL
3.	All Jewelleries	NIL

## IMMOVEABLE ASSETS:

4.	All that Premises being no.14, Shakespeare Sarani, Kolkata 700 071. Annual Valuation 64660 X 20 times	12,93,200.00
	TOTAL	12,93,200.00
	Deduct amount shown in Schedule "B" not subject to duty	NIL
	NET TOTAL	12,93,200.00

## SCHEDULE "B"

VALUATION OF THE DEBTS OF THE DECEASED

SERIAL NO.		AMOUNT
1.	Amounts of debts due and owing from deceased, payable by law out of the Estate of the deceased abovenamed	NIL
2.	Amount of funeral expenses	NIL
3.	Shradh Ceremony	NIL
	TOTAL	NIL



787

6. The statements contained in paragraphs 1 to 5 are true to my knowledge.

Solemnly affirmed by the said Ratan Lal Pasari in the Court House at Calcutta on this the 3<sup>rd</sup> day of July 2013.

*Ratan Lal Pasari*

Before me

*Gautam Das*  
Commissioner



*1/3*





*[Faint, illegible text, likely bleed-through from the reverse side of the document]*

Pater nomen (Name of Father) **MOLECHAND PASARI**  
 Mater nomen (Name of Mother) **LATE SHANTIDEVI PASARI**  
 Nomen nuptiale (Name of Spouse) **INDU PASARI**  
 Address **17, BALLYGUNGE PARK ROAD**  
**BALLYGUNGE**  
**KOLKATA - 700019 W.B.**  
 Date of Birth (Date of Issue of Passports) **18/05/1995** **KOLKATA**  
 File No. **CALBD1193705**

*Ramesh Kumar*  
 Identified by me  
 Abhijit Sarkar  
 Advocate



Faded, illegible text, likely a list of names or addresses.

Full and complete address (Name of Father/Legal Guardian)  
**MOOLCHAND PASARI**

Address and Name of Mother  
**LATE SHANTIDEVI PASARI**

Name and Name of Spouse  
**INDU PASARI**

Address  
**17, BALLYGUNGE PARK ROAD**

**BALLYGUNGE**

**KOLKATA - 700019 W.B**

Date of birth in dd. mo. year and sex of holder, Old Passport No. with date and place of issue  
**T145B59 18/05/1995 KOLKATA**

State of File No.  
**CALBD1193705**

*Ramesh Pan*  
*Identified by me*  
*Abhijit Sarkar*  
*Advocate*



14/7  
83p (one am)  
203/07/13

PL A No. \_\_\_\_\_ of 2013  
IN THE HIGH COURT AT CALCUTTA  
TESTAMENTARY AND INTESTATE  
JURISDICTION

IN THE GOODS OF:  
Smt. Shanti Devi Pasari, lastly  
resided at 4A, Rainey Park,  
Kolkata 700019, since deceased  
Hindu inhabitant.

Net Assets value of:  
Rs. 12,93,200.00 p.  
Maximum Ad Valorem duty  
is to be paid as per Courts  
order.

Abhijit Sarkar  
Advocate

Affidavit of Assets of Ratan Lal Pasari  
affirmed on this the 3<sup>rd</sup> day of July  
2013.

Maximum Ad Valorem Duty Rs. 50,000/-  
is to be paid as per Courts' order.

32  
25-07-13

41  
26-07-13

22/07/13

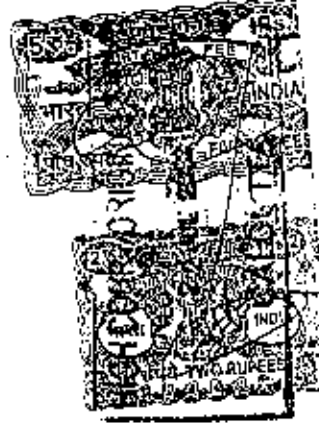
HIGH COURT ORIGINAL SIDE  
26 JUL 2013  
CALCUTTA

28



Abhijit Sarkar  
Advocate,  
6, Old Post Office Street,  
Room No. 17 E (Basement),  
Kolkata- 700 001

61



PLA No. \_\_\_\_\_ of 2013  
IN THE HIGH COURT AT CALCUTTA  
Testamentary and Intestate Jurisdiction

48  
A 2

IN THE GOODS OF:

Smt. Shanti Devi Pasari, lastly resided  
at 4A, Rainey Park, Kolkata 700019  
since deceased a Hindu inhabitant.

AFFIDAVIT

I Om Prakash Patangi son of Sri Ram Patangi aged about 57  
years, by faith Hindu, by occupation service previously used to reside  
at 26/14 Sailendhar Road Patuwa Para, Lihuah Howrah 711 204  
and presently residing at 10, Pannalal Basak Lane, Bally, Howrah  
711 204 do hereby solemnly affirm and say as follows:

Sw.

1. I am one of the attesting witnesses in the codicil of the  
deceased abovenamed dated 14<sup>th</sup> January 1988. The said original  
codicil is annexed to the petition for grant of probate in favour of  
Ratan Lal Pasari. Photo Copy of the Voter Identity Card being no.  
WB/24/161/357358 issued by the Election Commissioner Of India  
is annexed hereto and marked with the letter "A".

Sw.



1 - Sw.

2. That on 14<sup>th</sup> January 1988, I along with Sri Satish Khandelwal residing at 34, Vivekananda Road Calcutta 700 007 saw that the deceased abovenamed executed the said Codicil dated 14<sup>th</sup> January 1988, written in English Language, by signing her name in Hindi language at the foot of the Codicil after the same being read over and explained by Mr. Shyamal Jana Advocate, in my presence as also in presence of the other attesting witnesses. Thereafter at the request of the said deceased myself and the other attesting witnesses signed our respective names as attesting witnesses at the foot of the said Codicil dated 14<sup>th</sup> January 1988 all being present at the same time and all having signed in the presence of each other in the residence of the deceased as specified herein above.

3. I further state that at the time of the execution of the said codicil dated 14<sup>th</sup> January 1988 the deceased, abovenamed was in sound state of health and mind.

4. The statements contained in paragraphs 1 to 3 herein above are true to my knowledge.

Solemnly affirm by the said Om *Om Prakash Patangi*  
Prakash Patangi in the court house at  
Calcutta on this the *22nd* day of  
July, 2013.


BEFORE ME

*[Signature]*  
COMMISSIONER



*2/20*

भारतीय निर्वाचन आयोग  
 ELECTION COMMISSION OF INDIA  
 IDENTITY CARD  
 WB/24/181/357358



निर्वाचक नाम : अमरकाश पतांगी  
 Voter's Name : Amrakash Patangi  
 पिता नाम : श्रीराम पतांगी  
 Father's Name : Shri Ram Patangi  
 लिंग/लिंग : पुरुष  
 Sex : M  
 जन्म तिथि : 14/07/1988  
 Date of Birth : 14/07/1988

WB/24/181/357358  
 निर्वाचक :  
 TO: निर्वाचक अफिस, लॉ. बldg., 22nd Fl., 111004  
 ADDRESS:  
 10, PENTAGON, BASAY LANE, GALLY,  
 BASAY, HOORAH, 741004  
 Date: 28/07/2013  
 भारतीय निर्वाचन आयोग, भारत सरकार, नया दिल्ली  
 Election Commission of India  
 Signature of the Electoral  
 Registration Officer for  
 159-Bally Constituency  
 (This card is not valid unless you have got a vote  
 sheet with the serial number on AEP card at  
 the polling station)  
 In case of change in address mention this Card No.  
 in the return form by enclosing your name in the  
 mail at the changed address and to obtain the card  
 with same number.

Amrakash Patangi

Identified by me  
 Abhijit Sarkar  
 Advocate

Annexure... A... reference  
 in the Pleading / Affidavit  
 Affirmed by Amrakash Patangi  
 On the... 22<sup>nd</sup>... Day of...  
 2013...

Before me  
  
 Commissioner

HIGH COURT ORIGINAL SIDE  
 22 JUL 2013  
 CALCUTTA



*ans*

*20/7/13*

PLA No.                      of 2013  
IN THE HIGH COURT AT CALCUTTA  
TESTAMENTARY AND INTESTATE  
JURISDICTION

IN THE GOODS OF:

Smt. Shanti Devi Pasari, lastly resided  
at 4A, Rainey Park, Kolkata 700019,  
since deceased a Hindu inhabitant.

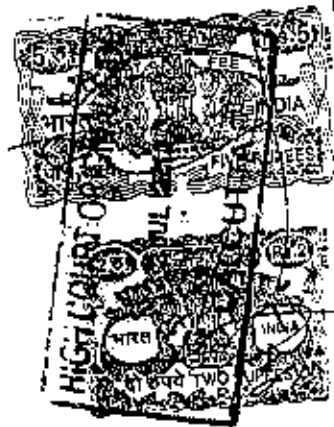
Affidavit affirmed by Om Prakash  
Patangi on this the *22nd* day of  
July 2013



*Abhijit Sarkar*  
Advocate,  
6, Old Post Office Street,  
Room No. 17E(Basement)  
Kolkata- 700 001



60



PLA No. \_\_\_\_\_ of 2013  
IN THE HIGH COURT AT CALCUTTA  
Testamentary and Intestate Jurisdiction

67  
A. & C.

IN THE GOODS OF:

Smt. Shanti Devi Pasari, lastly resided  
at 4A, Rainey Park, Kolkata 700019  
since deceased a Hindu inhabitant.

AFFIDAVIT

I Satish Khandelwal son of Jagdish Khandelwal aged about 69 years, by faith Hindu, by occupation service residing 34, Vivekananda Road, Kolkata 700 007 do hereby solemnly affirm and say as follows:

1. I am one of the attesting witnesses in the codicil of the deceased abovenamed dated 14<sup>th</sup> January 1988. The said original codicil is annexed to the petition for grant of probate in favour of Ratan Lal Pasari. Photo Copy of the Voter Identity Card being no. WB/21/143/246357 issued by the Election Commissioner Of India is annexed hereto and marked with the letter "A".

2. That on 14<sup>th</sup> January 1988, I along with Sri Om Prakash Patangi previously used to reside at 26/14, Sailendhar Road Patuwa



Para Liluah Howrah 711 204 presently residing at 10, Pannalal Basak Lane Bally Howrah 711 204 saw that the deceased abovenamed executed the said Codicil dated 14<sup>th</sup> January 1988, written in English Language, by signing her name in Hindi language at the foot of the Codicil after the same being read over and explained by Mr. Shyamal Jana Advocate, in my presence as also in presence of the other attesting witnesses. Thereafter at the request of the said deceased myself and the other attesting witnesses signed our respective names as attesting witnesses at the foot of the said Codicil dated 14<sup>th</sup> January 1988 all being present at the same time and all having signed in the presence of each other in the residence of the deceased as specified herein above.

3. I further state that at the time of the execution of the said codicil dated 14<sup>th</sup> January 1988 the deceased abovenamed was in sound state of health and mind.

4. The statements contained in paragraphs 1 to 3 herein above are true to my knowledge.

Solemnly affirm by the said Satish Khandelwal in the court house at Calcutta on this the 22<sup>nd</sup> day of July, 2013.

BEFORE ME

*B. S. Chatterjee*

COMMISSIONER





ELECTION COMMISSION OF INDIA

ভারতের নির্বাচন কমিশন

WB / 21 / 143 / 246357

IDENTITY CARD  
পরিচয় কার্ড



Elector's Name নির্বাচনী ব্যক্তি	Khandelwal Satish খন্দেলওয়াল সত্যিশ
Father/Mother/ Husband's Name পিতা/মাতা/স্বামীর নাম	Jagdish জগদীশ
Sex লিঙ্গ	M
Age as on 1.1.1995 ১১.১১.৯৫-এ বয়স	61 ৬১

HIGH COURT ORIGINAL SIDE  
 22 APR 2013  
 CALCUTTA

*Satish Khandelwal*

Address:  
34 4th Fl. Vivekananda Road, Calcutta.

ঠিকানা  
৩৪ বিবেকানন্দ রোড, কলিকতা-১



Facsimile Signature  
Electoral Registration Officer  
নির্বাচন-নিবন্ধন অফিসার

For 143-Jorissenko  
Assembly Constituency  
১৪৩-জোড়িসেনকো  
বিধানসভা বিধান কেন্দ্র

Place	Calcutta
স্থান	কলিকতা
Date	22.04.95
তারিখ	২২.০৪.৯৫

*Identified by me  
Abhishek Sarkar  
Shrovet*

*Satish Khandelwal*

Annexure.....*A*.....reference  
 in the Pleading / Affidavit  
 Affirmed by *Satish Khandelwal*  
 On the..... by.....  
 On the *22<sup>nd</sup>* Day of *July*  
 20*13*

Before me  
*Bm*  
 Commissioner



be 4/2  
be 2/2 (ms ams)  
22/07/13

PLA No.                      of 2013  
IN THE HIGH COURT AT CALCUTTA  
TESTAMENTARY AND INTESTATE  
JURISDICTION

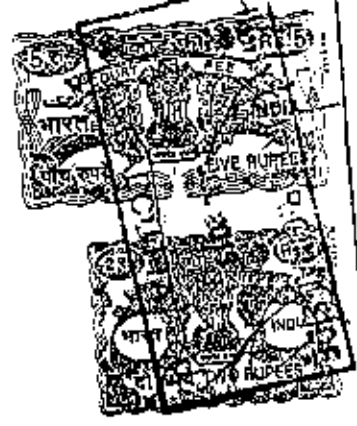
IN THE GOODS OF:  
Smt. Shanti Devi Pasari, lastly resided  
at 4A, Rainey Park, Kolkata 700019,  
since deceased a Hindu inhabitant.

Affidavit affirmed by Satish Khandelwal  
on this the 22<sup>nd</sup> day of July 2013



*Abhijit Sarkar*  
Advocate,  
6, Old Post Office Street,  
Room No. 17E(Basement)  
Kolkata- 700 001

96  
A.R.



PLA No. \_\_\_\_\_ of 2013  
IN THE HIGH COURT AT CALCUTTA  
Testamentary and Intestate Jurisdiction

123

IN THE GOODS OF:

Smt. Shanti Devi Pasari, lastly  
resided at 4A, Rainey Park, Kolkata  
700019 since deceased a Hindu  
inhabitant.

AFFIDAVIT

I, Lalit Pasari son of late Mool Chand Pasari, aged about 61 years by faith Hindu, by occupation business resident of Old no. 23, New No. 51, Bishop Garden, R.A Puram, Chennai 600 028, presently residing at 17, Ballygunge Park Road, Kolkata 700 019 do hereby solemnly affirm and say as follows:-

1. That I, Lalit Pasari son to the deceased. Photo Copy of the passport is annexed hereto and marked with the letter "A". I was one of the attesting witnesses of the Will dated 5<sup>th</sup> March 1987 of the deceased abovenamed. I had affirmed an affidavit to that effect on 24<sup>th</sup> June 2010, filed in PLA No. 182 of 2010. The probate of the said will of the deceased abovenamed dated 5<sup>th</sup> March 1987 has been granted by this Hon'ble court on 14<sup>th</sup> January 2011.



1.5

Subsequent to the grant of probate of the will dated 5<sup>th</sup> March 1987, the present Codicil dated 14<sup>th</sup> January 1988 has been discovered.

2. That in terms of the Will dated 05<sup>th</sup> March 1987, the property situated at 14, Shakespeare Sarani Kolkata-700 071 was bequeathed to M/s Moolchand Ratanlal HUF. But in terms of the subsequent discovered Codicil dated 14<sup>th</sup> January 1988, the deceased has bequeathed the property being premises no. 14, Shakespeare Sarani Kolkata-700 071 to her three sons namely Ratanlal Pasari of 17 Ballyguange Park Kolkata 700 019( previously 4A, Rainey Park Kolkata 700 019), Sri Bimal Kumar Pasari of 43, Landmark, Carmichael Road, Mumbai 26 and Sri Lalit Pasari of Old No. 23, New No. 51, Bishop Garden, R.A Puram, Chennai 600 028. I am aware that an application for obtaining Probate of the Codicil dated 14<sup>th</sup> January 1988 of Shanti Devi Pasari deceased has been filed by the executor of the Will dated 05<sup>th</sup> March 1987 of Shanti Devi Pasari in the Hon'ble High Court at Calcutta in it's Testamentary and Intestate Jurisdiction Original Side after obtaining the Probate of the said Will.

3. I do hereby also signify my consent for granting Probate/ Letter of Administration of the said Codicil of the testatrix in favour of Sri Ratan Lal Pasari the executor/ Petitioner.



4. That the statements contained in the foregoing paragraphs of this affidavit are true to my knowledge.

Solemnly affirmed by the said Lalit Pasari in the court house at Calcutta on this the 3<sup>rd</sup> day of July 2013.

*Lalit Pasari*

BEFORE ME

*Gautam Das*  
COMMISSIONER



7/8/13







P. 4/P  
 Dr. P. (name)  
 09/08/13

PLA No.                      of 2013  
 IN THE HIGH COURT AT CALCUTTA  
 TESTAMENTARY AND INTESTATE  
 JURISDICTION

IN THE GOODS OF:  
 Smt. Shanti Devi Pasari, lastly resided  
 at 4A, Rainey Park, Kolkata 700019,  
 since deceased a Hindu inhabitant.

Affidavit affirmed by Lalit Pasari on this  
 the 3<sup>rd</sup> day of July 2013



*Abhijit Sarkar*  
 Advocate,  
 6, Old Post Office Street,  
 Room No. 17E(Basement)  
 Kolkata- 700 001



PLA No. \_\_\_\_\_ of 2013  
IN THE HIGH COURT AT CALCUTTA  
Testamentary and Intestate Jurisdiction

72  
A.2.

IN THE GOODS OF:

Smt. Shanti Devi Pasari, lastly  
resided at 4A, Rainey Park, Kolkata  
700019 since deceased a Hindu  
inhabitant.

AFFIDAVIT

I, Lalita Jhunjhunwala wife of Sri Nand Lal Jhunjhunwala,  
aged about 67 years by faith Hindu, by occupation house  
wife residing at P- 158, Scheme VI CIT Road, Kolkata 700  
054 do hereby solemnly affirm and say as follows:-

1. That I, Lalita Jhunjhunwala daughter to the deceased.  
Photo Copy of the Voter Identity card issued by the  
Election Commissioner of India is annexed hereto and  
marked with the letter "A". I was one of the attesting witnesses  
of the Will dated 5<sup>th</sup> March 1987 of the deceased abovenamed. I had  
affirmed an affidavit to that effect on 24<sup>th</sup> January 2010 filed in PLA  
No. 182 of 2010. The probate of the said will of the deceased  
abovenamed dated 5<sup>th</sup> March 1987 has been granted by this Hon'ble



court on 14<sup>th</sup> January 2011. Subsequent to the grant of probate of the will dated 5<sup>th</sup> March 1987, the present Codicil dated 14<sup>th</sup> January 1988 has been discovered.

2. That in terms of the Will dated 05<sup>th</sup> March 1987, the property situated at 14, Shakespeare Sarani Kolkata-700 071 was bequeathed to M/s Moolchand Ratanlal HUF. But in terms of the subsequent discovered Codicil dated 14<sup>th</sup> January 1988, the deceased has bequeathed the property being premises no. 14, Shakespeare Sarani Kolkata-700 071 to her three sons namely Ratanlal Pasari of 17 Ballyguange Park Kolkata 700 019, previously 4A, Rainey Park Kolkata 700 019), Sri Bimal Kumar Pasari of 43, Landmark, Carmichael Road, Mumbai 36 and Sri Lali Pasari of Old No. 23, New No. 51, Bishop Garden, R.A Puram, Chennai 600 028. I am aware that an application for obtaining Probate of the Codicil dated 14<sup>th</sup> January 1988 of Shanti Devi Pasari deceased has been filed by the executor of the Will dated 05<sup>th</sup> March 1987 of Shanti Devi Pasari in the Hon'ble High Court at Calcutta in it's Testamentary and Intestate Jurisdiction Original Side after obtaining the Probate of the said Will.

3. I do hereby also signify my consent for granting Probate/ Letter of Administration of the said Codicil of the testatrix in favour of Sri Ratan Lal Pasari the executor/ Petitioner.



4. That the statements contained in the foregoing paragraphs of this affidavit are true to my knowledge.

Solemnly affirmed by the said Lalita Jhunjhunwala in the court house at Calcutta on this the 3<sup>rd</sup> day of July 2013.

*Lalita Jhunjhunwala*

BEFORE ME

*Gantam Das*  
COMMISSIONER



*3-8*

HIGH COURT ORIGINAL SIDE  
 - 3 JUL 2013  
 CALCUTTA

**ELECTION COMMISSION OF INDIA**  
 ভারতের নির্বাচন কমিশন

IDENTITY CARD  
 পরিচয় পত্র

WB / 22 / 159 / 361 / 26



Elector's Name নির্বাচকের নাম	Jhunjhunwala Lalita জুঞ্জুঁনওয়াল ললিতা
Father/Mother/ Husband's Name পিতা/মাতা/স্বামীর নাম	N.L. Jhunjhunwala এন.এল. জুঞ্জুঁনওয়াল
Sex লিঙ্গ	F মহিলা
Age as on 1.1.1995 ১.১.১৯৯৫-এ বয়স	48 ৪৮

*Lalita Jhunjhunwala*  
 Identified by me  
 Abhijit Sarkar  
 Advocate

Annexure A reference  
 in the Pleading / Affidavit  
 Affirmed by Lalita Jhunjhunwala  
 On the ..... by .....  
 On the 3rd day of July  
 2013

Before me  
  
 Commissioner

Annexure A reference  
 in the Pleading / Affidavit  
 Affirmed by Lalita Jhunjhunwala  
 On the .....  
 On the 3rd day of July  
 2013

Before me  
 Commissioner



Address  
P-158 C.I.T. Scheme VI M. Calcutta.

पिन  
पिन-७०० ००१, सी. आर. टी. स्कीम-६, कलकत्ता ।



Facsimile Signature  
Electoral Registration Officer  
निर्वाचन-नियंत्रण अधिकारी

For 158, MANICKTOLA  
Assembly Constituency

१५८, मणिकटला  
विधानसभा निर्वाचन क्षेत्र

Place CALCUTTA

स्थान कलकत्ता

Date 14.09.85

तारीख १४.०९.८५

Lalita Singhwani  
Identified by me  
Abhijit Sarkar  
Advocate



R4/p  
De 3/2 (meant)  
03/07/13

PLA No. \_\_\_\_\_ of 2013  
IN THE HIGH COURT AT CALCUTTA  
TESTAMENTARY AND INTESTATE  
JURISDICTION

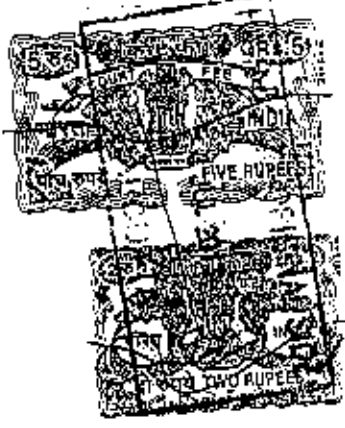
IN THE GOODS OF:  
Smt. Shanti Devi Pasari, lastly resided  
at 4A, Rainey Park, Kolkata 700019,  
since deceased a Hindu inhabitant.

Affidavit affirmed by Lalita  
Jhunjhunwala on this the  
3<sup>rd</sup> day of July 2013



*Abhijit Sarkar*  
Advocate,  
6, Old Post Office Street,  
Room No. 17E(Basement)  
Kolkata- 700 001





P. L. A. No. \_\_\_\_\_ of 2013  
IN THE HIGH COURT AT CALCUTTA  
Testamentary and Intestate Jurisdiction

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98  
A.R.

IN THE GOODS OF:

Smt Shanti Devi Pasari, lastly  
resided at 4A, Rainey Park, Kolkata  
700019, since deceased a Hindu  
inhabitant.

I, Ratan Lal Pasari, son of Late Mool Chand Pasari, aged about 73  
Years by faith Hindu, by occupation business, residing at 17,  
Ballyguange Park, Kolkata-700019, (previously of 4A, Rainey Park,  
Kolkata 700 019) do hereby solemnly affirm and say as follows:-

1. That I, Ratan Lal Pasari son to the deceased. Photo  
Copy of the passport is annexed hereto and marked with  
the letter "A". I am one of the legal heir of the deceased  
abovenamed. I was appointed as the Executor to the will of the  
deceased dated 5<sup>th</sup> March 1987. I filed a proceeding being PLA No.  
182 of 2010 before this Hon'ble Court for grant of probate of the Will  
of the deceased dated 5<sup>th</sup> March 1987. The probate of the said will of  
the deceased abovenamed dated 5<sup>th</sup> March 1987 has been granted  
by this Hon'ble court on 14<sup>th</sup> January 2011. Subsequent to the grant



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of probate of the will dated 5<sup>th</sup> March 1987, the present Codicil dated 14<sup>th</sup> January 1988 has been discovered.

2. That in terms of the Will dated 05<sup>th</sup> March 1987, the property situated at 14, Shakespeare Sarani Kolkata-700 071 was bequeathed to M/s Moolchand Ratanlal HUF. But in terms of the subsequent discovered Codicil dated 14<sup>th</sup> January 1988, the deceased has bequeathed the property being premises no. 14, Shakespeare Sarani Kolkata-700 071 to her three sons namely Ratanlal Pasari of 17 Ballyguange Park Kolkata 700 019( previously 4A, Rainey Park Kolkata 700 019), Sri Bimal Kumar Pasari of 43, Landmark, Carmichael Road, Mumbai 26 and Sri Lalit Pasari of Old No. 23, New No. 51, Bishop Garden, R.A Puram, Chennai 600 028. I am aware that an application for obtaining Probate of the Codicil dated 14.01.1988 of Shanti Devi Pasari deceased has been filed by the executor of the Will dated 05<sup>th</sup> March 1987 of Shanti Devi Pasari in the Hon'ble High Court at Calcutta in it's Testamentary and Intestate Jurisdiction Original Side after obtaining the Probate of the said Will.

3. I do hereby also signify my consent for granting Probate/ Letter of Administration of the said Codicil of the testatrix in favour of the executor/ Petitioner.



4. That the statements contained in the foregoing paragraphs of this affidavit are true to my knowledge.

Solemnly affirmed by the said Ratan Lal Pasari in the Court House at Calcutta on this the 3<sup>rd</sup> day of July 2013.

*Ratan Lal Pasari*

Before me

*Santanu Das*  
Commissioner



*48*





PLA  
PLA (one copy)  
20/08/13

PL A No. of 2013

IN THE HIGH COURT AT CALCUTTA  
TESTAMENTARY AND INTESTATE  
JURISDICTION

IN THE GOODS OF:  
Laxmi Devi Pasari, lastly resided at  
4A, Rainey Park, Kolkata 700019,  
since deceased a Hindu inhabitant.

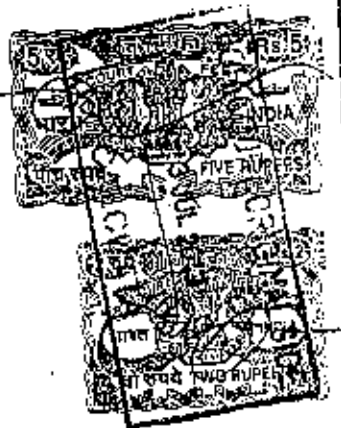
Affidavit of Ratan Lal Pasari affirmed  
as on this the 3<sup>rd</sup> day of July 2013.



*Abhijit Sarkar*  
Advocate,  
6, Old Post Office Street,  
Room No. 17 E (Basement),  
Kolkata- 700 001

99  
A.P.

P. L. A. No. \_\_\_\_\_ of 2013  
IN THE HIGH COURT AT CALCUTTA  
Testamentary and Intestate Jurisdiction



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IN THE GOODS OF:

Smt Shanti Devi Pasari, lastly  
resided at 4A, Rainey Park, Kolkata  
700019, since deceased a Hindu  
inhabitant.

I, Ratan Lal Pasari, son of Late Mool Chand Pasari, aged about 73  
Years by faith Hindu, by occupation business, residing at 17,  
Ballyguange Park, Kolkata- 700019, (previously of 4A, Rainey Park,  
Kolkata 700 019) do hereby solemnly affirm and say as follows:-

1. That I am the Karta of M/s Moolchand Ratanlal HUF. A  
Photo Copy of the Permanent Account Card being  
no.AADHM0289G of M/s Moolchand Ratanlal issued by -the  
Income Tax Authority Government of India is annexed hereto and  
marked with the letter "A".



1-8/

2. That in terms of the Will dated 05<sup>th</sup> March 1987, the property situated at 14, Shakespeare Sarani Kolkata-700 071 was given to M/s Moolchand Ratanlal HUF. But in terms of the subsequent discovered Codicil dated 14<sup>th</sup> January 1988, the deceased has bequeathed the property being premises no. 14, Shakespeare Sarani Kolkata-700 071 to her three sons namely Ratanlal Pasari of 17 Ballyguange Park Kolkata 700 019 (previously 4A, Rainey Park Kolkata 700 019), Sri Bimal Kumar Pasari of 43, Landmark, Carmichael Road, Mumbai 26 and Sri Lalit Pasari of Old No. 23, New No. 51, Bishop Garden, R.A Puram, Chennai 600 028. I am aware that an application for obtaining Probate of the Codicil dated 14.01.1988 of Shanti Devi Pasari deceased has been filed by the executor of the Will dated 05<sup>th</sup> March 1987 of Shanti Devi Pasari in the Hon'ble High Court at Calcutta in its Testamentary and Intestate Jurisdiction Original Side after obtaining the Probate of the said Will.

3. I do hereby also signify my consent as Karta of M/s Moolchand Ratanlal HUF, for granting Probate of the said Codicil dated 14<sup>th</sup> January 1988 of the testatrix in favour of the executor / Petitioner. Photo Copy of the Permanent Account Card being No.AFOPP5614G issued by the Income Tax Authority Government of India of Ratan Lal Pasari son of Late Moolchand Pasari residing at 17, Ballyguange Park Kolkata 700 019 (previously of 4A, Rainey Park, Kolkata-700019) is annexed hereto and marked with the letter "B".





4. That the statements contained in the foregoing paragraphs of this affidavit are true to my knowledge.

Solemnly affirmed by the said Ratan Lal Pasari in the Court House at Calcutta on this the 3<sup>rd</sup> day of July 2013.

*Ratan Lal Pasari*

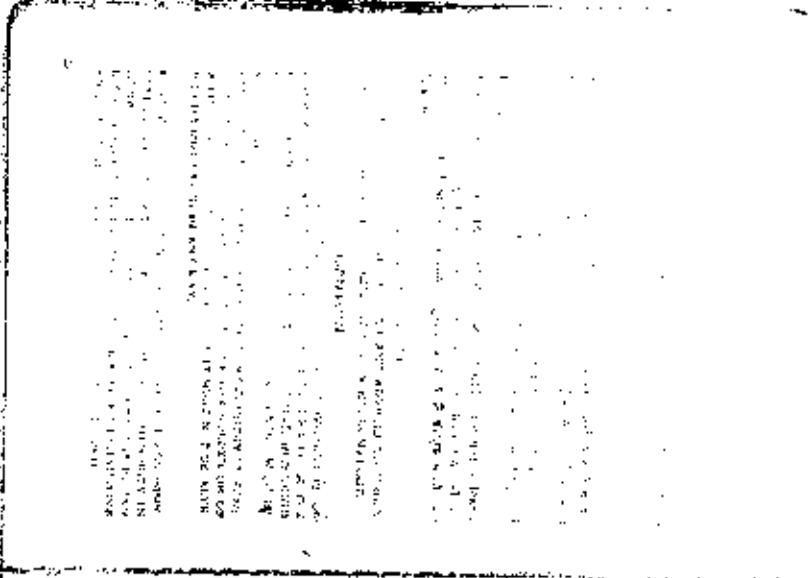
Before me

*Gautam Das.*

Commissioner







with an affidavit addressed (Name of Father/Legal Guardian)  
**MOOLCHAND PASARI**

with an affidavit (Name of Mother)  
**LATE SHANTIDEVI PASARI**

with an affidavit (Name of Spouse)  
**INDU PASARI**

my address  
**17, BALLYGUNGE PARK ROAD**

**BALLYGUNGE**

**KOLKATA -700039 W.B.**

my passport no. and date and place of issue  
**T145859 18/05/1995 KOLKATA**

my PAN No.  
**CALB01153105**

*Recd cert*

*Identified by me  
Abhijit Sarkar  
Advocate*



*Handwritten marks and scribbles in the top left corner.*

PL A No.                      of 2013  
IN THE HIGH COURT AT CALCUTTA  
TESTAMENTARY AND INTESTATE  
JURISDICTION

IN THE GOODS OF:

Laxmi Devi Pasari, lastly resided at  
4A, Rainey Park, Kolkata 700019,  
since deceased a Hindu inhabitant.

*Affidavit of Ratan Lal Pasari affirmed  
as Karta of M/s Moolchand Ratanlal  
HUF on this the 3rd day of July  
2013.*



*Abhijit Sarkar*  
Advocate,  
6, Old Post Office Street,  
Room No. 17 E(Basement),  
Kolkata- 700 001





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A. S.

PLA No. \_\_\_\_\_ of 2013  
IN THE HIGH COURT AT CALCUTTA  
Testamentary and Intestate Jurisdiction

180

IN THE GOODS OF

Smt. Shanti Devi Pasari, lastly  
resided at 4A, Rainey Park, Kolkata  
700019 since deceased a Hindu  
inhabitant.

AFFIDAVIT

I, Bimal Kumar Pasari son of late Mool Chand Pasari, aged about 70 years by faith Hindu, by occupation business resident of 43, Land Mark, Carmichael Road, Mumbai 26, presently residing at 17, Ballygunge Park Road, Kolkata 700 019 do hereby solemnly affirm and say as follows:-

1. That I, Bimal Kumar Pasari son to the deceased. Photo Copy of the Passport is annexed hereto and marked with the letter "A". I am one of the legal heir of the deceased abovenamed. I had affirmed an affidavit on 17<sup>th</sup> July 2009 filed in PLA No. 182 of 2010 for grant of probate of the Will of the deceased abovenamed dated 5<sup>th</sup> March 1987. The probate of the said will of the deceased abovenamed dated 5<sup>th</sup> March 1987 has been granted by this Hon'ble court on 14<sup>th</sup> January 2011. Subsequent to the grant of probate of the will dated 5<sup>th</sup> March 1987, the present Codicil dated 14<sup>th</sup> January 1988 has been discovered.



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3. That in terms of the Will dated 05<sup>th</sup> March 1987, the property situated at 14, Shakespeare Sarani Kolkata-700 071 was bequeathed to M/s Moolchand Ratanlal HUF. But in terms of the subsequent discovered Codicil dated 14<sup>th</sup> January 1988, the deceased has bequeathed the property being premises no. 14, Shakespeare Sarani Kolkata-700 071 to her three sons namely Ratanlal Pasari of 17 Ballyguange Park Kolkata 700 019( previously 4A, Rainey Park Kolkata 700 019), Sri Bimal Kumar Pasari of 43. Landmark, Carmichael Road, Mumbai 26 and Sri Lalit Pasari of Old No. 23, New No. 51, Bishop Garden, R.A Puram, Chennai 600 028. I am aware that an application for obtaining Probate of the Codicil dated 14<sup>th</sup> January 1988 of Shanti Devi Pasari deceased has been filed by the executor of the Will dated 05<sup>th</sup> March 1987 of Shanti Devi Pasari in the Hon'ble High Court at Calcutta in it's Testamentary and Intestate Jurisdiction Original Side after obtaining the Probate of the said Will.

4. I do hereby also signify my consent for granting Probate/ Letter of Administration of the said Codicil of the testatrix in favour of Sri Ratan Lal Pasari the executor/ Petitioner.



1-8/

5. That the statements contained in the foregoing paragraphs of this affidavit are true to my knowledge.

Solemnly affirmed by the said Bimal Kumar Pasari in the court house at Calcutta on this the 3<sup>rd</sup> day of July 2013.

*Bimal Kumar Pasari*



BEFORE ME  
*Gautam Das*  
COMMISSIONER



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पत्र / Name of Father / Legal Guardian  
**PASARI MULCHAND**

पत्नी / Name of Mother  
**PASARI SHANTI DEVI**

पति / Name of Spouse  
**PASARI SUSHILA DEVI**

पता / Address  
**43 LAND MARK FOURTH FLOOR  
 CARMICHAEL ROAD  
 MUMBAI-400 026**

पुराने पासपोर्ट नं. / Old Passport No. with Date and Place of Issue  
**B3354811 20/04/2001 MUMBAI**

पत्र नं. / File No.  
**80M500349011 - OLD PPT CLD & RETURNED**

पत्र / Name of Father / Legal Guardian  
**PASARI MULCHAND**

पत्नी / Name of Mother  
**PASARI SHANTI DEVI**

पति / Name of Spouse  
**PASARI SUSHILA DEVI**

पता / Address  
**43 LAND MARK FOURTH FLOOR  
 CARMICHAEL ROAD  
 MUMBAI-400 026**

पुराने पासपोर्ट नं. / Old Passport No. with Date and Place of Issue  
**B3354811 20/04/2001 MUMBAI**

पत्र नं. / File No.  
**80M500349011 - OLD PPT CLD & RETURNED**

*Identified by me  
 Abhisit Sarkar  
 Advocate*



AS PVT. LTD.

W41  
2013 Jul 03  
2013/12

P L A No. \_\_\_\_\_ of 2013  
IN THE HIGH COURT AT CALCUTTA  
TESTAMENTARY AND INTESTATE  
JURISDICTION

IN THE GOODS OF:  
Shanti Devi Pasari, lastly resided at  
4A, Rainey Park, Kolkata 700019, since  
deceased a Hindu inhabitant.

Affidavit affirmed by Bimal Kumar  
Pasari on this the 3<sup>rd</sup> day of  
July 2013



*Abhijit Sarkar*  
Advocate,  
6, Old Post Office Street,  
Room No. 17E(Basement)  
Kolkata- 700 001