

ORDER SHEET

APO/436/2017
WITH
TS/11/2014
IA NO.GA/3/2021

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

IN THE GOODS OF:
SUDARSHAN KUMAR KEJRIWAL (Dec.)
-AND-
RAJ KUMARI KEJRIWAL
VERSUS
AMITABH KEJRIWAL & ANR.

BEFORE:

The Hon'ble JUSTICE I. P. MUKERJI

The Hon'ble JUSTICE MD. NIZAMUDDIN

Date : 23rd February, 2021.

(Via Video Conference)

Appearance:
Mr. Arijit Basu, Adv.

Mr. Chayan Gupta, Adv.
Mr. Rajesh Upadhyay, Adv.
Ms. Surabita Biswas, Adv.

Mr. P.S. Biswas, Adv.

The Court: The order dated 31st October, 2017 of a division bench of this court directed amendments to be carried out to such extent and effect that the original petition for grant of probate was restored.

It is submitted by Mr. Gupta, learned counsel, that since the executor did not carry out the amendment, his client as administrator has taken out the present application taking leave of this Court to carry out the aforesaid direction. The order dated 31st October, 2017 has become final and binding on the parties.

Thereafter, the administrator approached the learned single judge of this court by an application (IA NO.GA/6/2020) to effect some amendments wherein on

9th December, 2020 an order in terms of prayers (a) to (g) of the Master's Summons dated 23rd September, 2020 was made, disposing of the application.

Mr. Gupta submits that the said order of the learned Single Judge could not be carried out because of non-compliance with the order of the division bench dated 31st October, 2017, by the executor.

In those circumstances, we allow this application by passing an order in terms of prayers (a), (b) and (c) of the application.

The application (IA No.GA/3/2021) is, thus, disposed of.

(I. P. MUKERJI, J.)

(MD. NIZAMUDDIN, J.)

cs.