

ORDER SHEET

IA No.GA/3/2020
(Old No.GA/660/2020)
In
TS/6/2015

IN THE HIGH COURT AT CALCUTTA
Testamentary & Intestate Jurisdiction
ORIGINAL SIDE

IN THE GOODS OF :
PRITIKANA MITRA (DEC.)

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : January 31, 2023.

Appearance :
Mr. Satadeep Bhattacharya, Adv.
Mr. Amartya Pal, Adv.
...for the plaintiff

Mr. Anirban Pramanick, Adv.
Ms. Subhasree Dey, Adv.
Mr. Punarbasu Nath, Adv.
...for the defendant

The Court: Counsel for the respective parties are present.

Learned counsel for the defendant has handed over a communication dated 3rd December, 2022 signed by one Sri Sunando Das, husband of Anuradha Das and Sulagna Das, daughter of Anuradha Das wherein they have enclosed the death certificate of Anuradha Das along with AADHAAR card.

In the said communication, it was informed that Anuradha Das died on 29th October, 2022 leaving behind her husband and daughter named above. The legal heirs of Anuradha Das are not interested to proceed with the instant application.

Copy of the communication along with documents be kept with the record.

The counsel for the defendant submits that he has received the said communication and prays for passing appropriate order.

In view of the submission made by the counsel for the defendant and the communication dated 03.12.2022, this Court finds that the defendant died on 29.10.2022 who is also the petitioner in GA/3/2020 (Old No.GA/660/2020) and as such GA/3/2020 (Old No. GA/660/2020) is abated.

Counsel for the plaintiff submits that though this Court has passed an order for grant of probate on 26th September, 2019 but probate was issued only on 26th February, 2021. Counsel for the plaintiff submits that due to some personal difficulties, the plaintiff could not file the inventory within the period of six months and as such prayed for extension of time to file the inventory and accounts.

In view of the prayer made by the counsel for the plaintiff, time to file inventory and accounts is extended for a further period of four weeks from date.

(KRISHNA RAO, J.)