

21.01.2021
Sl. No. 6
srm

C.O. No. 205 of 2020

Sri Shubhendu Dey

Vs.

Smt. Ira Dey & Ors.

Mr. Tulshidas Ray

Mr. Tirthankar Roy

...for the Petitioner.

On the prayer of the learned Advocate for the petitioner,
leave is granted to him to correct the cause title.

This revisional application has been filed for expeditious disposal of O.S. 25 of 2019 pending the learned Additional District Judge, 11th Court at Alipore, South 24-Parganas. An application for grant of letters of administration under Section 278 of the Indian Succession Act had been filed before the learned District Delegates, South 24-Parganas, Baruipur, which was registered as Misc. Case No.58/2016. The proceedings became contentious and was converted to a suit, by a direction of this Court. This Court further directed on February 1, 2019 that after the conversion of the Misc. Case to a suit, the same should be disposed of mandatorily within a period of three months from the date of communication of the order. The parties also undertook not to seek any adjournment.

I do not find from the records that the disposal of the suit has been delayed due to any fault of the Court the

opposite parties. The pandemic situation prevented the learned Court below from disposing of matters expeditiously.

However, as there is already an order of this Court directing expeditious disposal of the suit, this revisional application is disposed of with a direction upon the learned Court below to dispose of the suit within a period of six months from the date of communication of this order upon hearing both the parties.

This Court has not gone into the merits of the claim and counterclaim of the parties and the learned Court below will proceed independently without being influenced by any observation made hereinabove.

The learned Advocate-on-record for the petitioner is directed to serve copies of this revisional application upon the opposite parties and the learned Advocate for the opposite parties appearing in the learned Court below along with a server copy of this order within a week from date.

This revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)