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19.02.2021
(p.jana)

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

(Via Video Conference)

CO 356 of 2021

**Jayasri Mitra
-versus-
Sheila Mitra**

Mr. Partha Pratim Roy,
Mr. Dyutiman Banerjee, ... for the petitioner.

Mrs. Chaitali Bhattacharya,
Mr. Protim Chakraborty, ... for the opposite party.

Leave is granted to the learned advocate for the petitioner to correct the cause title of the revisional application.

The present revisional application under Article 227 of the Constitution of India is directed against the order no. 91 dated October 07, 2020 passed by the 6th Court of learned Additional District Judge at Alipore in O.S. No. 04 of 2010.

Two Wills of one Jagabandhu Ghosh is the subject-matter of two proceedings for grant. The Will allegedly executed by said Jagabandhu Ghosh on February 19, 1995 is the subject-matter of the O.S. No. 4 of 2010 whereas the Will allegedly executed by him on August 11, 1995 is the subject-matter of the Letters of Administration Suit No. 05 of 2010. The learned Trial Judge is hearing both the said suits analogously.

The petitioner is the plaintiff of L.A. Case No. 05 of 2010. The petitioner in O.S. No. 04 of 2010 filed an application for departmental enquiry on the allegation that in the Will dated August

11, 1995 the name of one Prabir Mitra has been inserted while the said Will is in the safe custody of the learned District Judge.

The learned Trial Judge by the order impugned has dismissed the said application holding that the issue has already been adjudicated.

The petitioner was unsuccessful in getting the signature of the said Prabir Mitra verified by a handwriting expert as his prayer for such purpose was turned down by the learned Trial Judge thrice and one of the orders refusing the said prayer of the petitioner was affirmed by the High Court.

Mrs. Chaitali Bhattacharya, learned counsel appearing on behalf of the opposite party, submits that the hearing of the suits has been concluded and the same have been reserved for judgment.

Be that as it may, the prayer for holding departmental enquiry on the aforesaid allegation has got no relevance with the issue to be decided in the said two suits, as such the learned Trial Judge has rightly refused the prayer of the petitioner, the order impugned does not call for any interference.

CO 356 of 2021 is devoid of any merit and is dismissed. No order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance of all requisite formalities.

(Biswajit Basu, J.)