

06.04.2021
Ct. No.9
S/L No.3
KS

C.O. 629 of 2021

Sri Dinesh Kumar Arya
-Vs.-
Sri Ramesh Kumar Arya

(Via Video Conference)

Mr. Susenjit Banik
Mr. Soumyajit Bhatta
.....For the Petitioner

Order dated 18.03.2021 was passed in connection with the application being, C.O. 629 of 2021 whereas the case has been typed written through inadvertence as 'S.A. 629 of 2021'. Necessary correction be made.

Correction is also required to be made to the effect that the case being O.S. No.37 of 2013 is pending before the Learned Additional District Judge, 3rd Court, Barrackpore which has inadvertently typed written as 'Additional District Judge at Barrackpore', however, other portion of the order dated 18.03.2021 shall remain unaltered.

This order shall be treated as part of the order dated 18.03.2021.

Affidavit of service filed in Court be taken on record which shows that the item delivery has been confirmed but none has appeared before the Court on behalf of the opposite party.

In this application under Section 24 of the Code of Civil Procedure, the petitioner has sought for analogous trial of two probate proceedings being, O.S. No.37 of 2013 (*Sri Dinesh Kumar Arya Vs. Sri Ramesh Kumar Arya*) pending before the Learned 3rd Court of Additional District Judge at Barrackpore and O.S. No.24 of 2012 (*Sri Ramesh Kumar Arya Vs. Sri Dinesh Kumar Arya*) pending before the learned Additional District Judge, Fast Track – IV, Barrackpore. The prayer has been made for analogous trial and hearing of the two probate proceedings jointly.

Having heard learned Advocate for the petitioner, let the O.S. No.24 of 2012 (*Sri Ramesh Kumar Arya Vs. Sri Dinesh Kumar Arya*) pending in the Court of the learned Additional District Judge, Fast Track – IV, Barrackpore be withdrawn from and transferred to the Court of Additional District Judge, 3rd Court, Barrackpore for simultaneous hearing of the two probate proceedings.

Thus, C.O. 629 of 2021 is disposed of.

Let a copy of this order be communicated to the transferor-transferee Court for information and doing the needful.

(Shivakant Prasad, J.)