

08.11.2021
Item No.22
Ct. No.7
CHC
(disposed of)

**C.O.1810 of 2021
(Physical Hearing)**

**Chaitali Deb
Vs.
Lily Nandi & anr.**

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

Mr. Partha Pratim Roy being accompanied by Mr. Sarbananda Sanyal and Dyutiman Banerjee submits that the probate proceeding is otherwise ready for final hearing, and a direction to ensure expeditious disposal of the Probate Suit No.1 of 2018, now pending before the learned Additional District Judge, 3rd Court, Hooghly at Chinsurah, may be given so that logical conclusion of the case may be reached at an early date.

In obedience to the earlier order, Mr. Roy instead of furnishing supplementary affidavit produces photocopy of certified copy of the orders passed by the learned below. The same be taken on record.

No supplementary affidavit in such context needs to be filed.

Adverting to order no.34 dated 16th September 2021, Mr. Roy contends that even after fixing the date

for collection of evidence, no evidence has since been recorded and that no interlocutory application is pending in connection with the probate proceeding, and as such the matter may be directed to ensure expeditious disposal.

In view of the nature of the order proposed to be made, and the point sought to be addressed by this Court, the Court is of the view that no extensive hearing is necessary, and the matter may be disposed of giving a direction for the purpose. Accordingly, service of the notice upon the opposite parties is dispensed with.

The revisional application is thus disposed of with a direction upon the learned court below in connection with Probate Suit No.1 of 2018, now pending before the learned Additional District Judge, 3rd Court, Hooghly at Chinsurah to dispose of the Probate Case expeditiously providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournment unless it is extremely unavoidable, so that logical conclusion of the case may be reached at an early date, preferably before the Puja Vacation of 2022.

Petitioner is directed to make communication of this order to the opposite parties and their learned advocates appearing in the court below, apart from

making independent communication of this order to the learned court below.

With the above observations/directions, the instant revisional application stands disposed of.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)