

**ASR 2
9.11.2022**

**FMA 549 of 2022
With
CAN 1 of 2022**

**Atanu Malick
Vs.
Nemai Charan Banerjee & Anr.**

**Mr. Partha Pratim Ray
Mr. Prasanta Bishal**

.....For the Appellant

Mr. Baisali Ghoshal

.....for the respondent no. 1

We formally admit the appeal.

We also proposed to hear it out dispensing with all formalities:

Learned counsel for the respondents submits that her clients are not interested in disposing of or dealing with the property in question. In view of such submission, let the interim order passed by a Division Bench of our Court in this appeal on 11th May, 2022 continue till disposal of the probate proceeding before the learned court below or until further order by that court whichever is earlier.

We are told that the contested probate proceeding is ready for hearing.

We request the learned Judge in the Court below to try and determine the proceeding finally within three months of communication of this order.

The appeal and connected application are disposed of.

(I. P. Mukerji,J.)

(Biswaroop Chowdhury,J)