

05.05.2022
Item No.32
Ct. No.7
CHC
(disposed of)

C.O.919 of 2022

**Sathi alias Rubu Bhattacharya
Vs.
Mita Bandyopadhyay & anr.**

Mr. Rakesh Gupta,
Mr. Rizwan Ahmed,
Ms. Sanjeeda Hossain
...for the petitioner

A direction to secure expeditious disposal of a probate proceeding vide O.C. Case No.24 of 2014, pending before learned Judge, 5th Bench, City Civil Court, at Calcutta, is the ultimate relief sought for in this case.

As per submission disclosed by the learned advocate for the petitioner that the case has already posted for evidence stage and the same is awaiting for cross-examination of P.W.1.

The only contention expressed by the learned advocate for the petitioner is against the delay caused in the disposal of Probate proceeding mentioned hereinabove.

In view of the nature of order proposed to be made in this case, no prior notice is considered to be necessary. Service upon the opposite parties stands dispensed with.

Accordingly, learned Judge, 5th Bench, City Civil Court, at Calcutta, is requested to ensure expeditious

disposal of pending Probate proceeding vide O.C. Case No.24 of 2014 arising out of L.A. Case No.10 of 2013, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

While endeavouring such exercise, the age of the petitioner may be taken into account, and the court below may proceed with the disposal of the case in the manner, as situation of the case would demand, so as to dispense with the justice, in a best possible and expeditious manner.

Petitioner is directed to make communication of this order to the learned court below as well as to the learned advocate appearing in the court below for the opposite parties and opposite parties.

With this observation/direction, the 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.)