

28.04.2022

Sl. No. 41

Court No. 7

B.M.

C.O 967 of 2022

Ram Chandra Naskar

Vs.

**Lakshmi Rani Naskar & Ors., on the death of
Pashupati Naskar**

Mr. Prasanta Bishal ... for the petitioner

A direction to secure expeditious disposal of a revocation case No.103 of 2000 pending before the learned Additional District & Sessions Judge, 14th Court, Alipore, is the ultimate relief sought for in this case, for delay being caused in the disposal of revocation case.

Admittedly, probate was granted by the learned Additional District Judge, 10th Court, Alipore. The original record pertaining to probate proceeding is very much available in the court of learned Additional District Judge, 10th Court, Alipore. The revocation is at the stage of collection of evidence for determination of revocation case. The original record granting probate was called for from the court of learned Additional District Judge, 10th Court, Alipore. The only contention expressed by the learned court below is against the non availability of the original record of probate in connection with a decision of pending revocation case.

In view of the nature of the 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 Additional District & Sessions Judge, 14th Court, Alipore, in connection with revocation case No.103 of 2000 is requested to ensure expeditious disposal of pending revocation case, referred hereinabove upon collecting the record, as called for from the court of learned Additional District Judge, 10th Court, Alipore, and providing sufficient opportunity of hearing to either of the parties to the case, but without granting unnecessary adjournment, unless it is extremely unavoidable.

Petitioner is directed to communicate this order to the learned court below as well as the learned advocate appearing for the opposite parties and the opposite parties.

With this direction and observation, 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)