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Ct. 18
07.07.2022

C.O. No. 1751 of 2022

**Soumendranath Bairi @ Soumendra Nath Bairi
Vs.
Arup Kumar Bairi & Ors.**

Mr. Koustav Bagchi,
Mr. Debayan Ghosh,
Ms. Priti Kar ... For the petitioner.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause any prejudice to the opposite parties, as such, service of notice of the present application upon the said opposite parties is dispensed with.

The opposite party no. 1 being the named executor of the alleged last Will and testament of one Sudhanya Prosad Bairy applied for grant of the probate of it and being objected, has become contentious and is pending before the 4th Court of learned Additional District Judge Fast Track Court at Barrackpore, District – 24 Parganas (North).

The petitioner is the executor/applicant of the said proceeding and by the present application is praying a direction upon the learned Trial Judge for expeditious disposal of the said proceeding.

The prayer is pre-matured as it appears from the record that the citation issued in the proceeding is not yet complete.

However, considering the age of the petitioner, C.O. 1751 of 2022 is disposed of by requesting the learned Trial Judge to expedite the disposal of the said suit in accordance with law.

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)