

**ML 02.09.
265 2022**

**AGM
Ct
07**

C.O. 1923 of 2022

**Smt. Asha Rao
Vs
Smt. Sarita Bagaria & Ors**

Mr. Rahul Karmakar,
... For the petitioner.

A direction to secure expeditious disposal of a probate proceeding being Original Suit No. 02 of 2015 pending before the learned Additional District Judge, 11th Court, Alipore, is the ultimate relief sought for in this case.

Mr. Rahul Karmakar, learned advocate appearing for the petitioner submits that presently the probate suit is at the stage of collection of evidence, wherein evidence of PW1 is continuing.

The only contention expressed by the learned advocate for the petitioner is against the delay caused in the disposal of suit.

No other point is raised requiring address by this Court.

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

Service of notice of this application upon opposite parties stands dispensed with.

Accordingly, the learned Additional District Judge, 11th Court, Alipore, in Original Suit No. 02 of

2015 is requested to ensure expeditious hearing of probate suit referred hereinabove, providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournments, unless it is extremely unavoidable.

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 the opposite parties.

With this observation and direction, the revisional application stands disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Subhasis Dasgupta, J)