

Item No. 29
25.08.2023
Court. No. 19
GB

C.O. 2187 of 2023

Sri Sandip Sandhukhan
Vs.
Sri Nabakumar Saha & Anr.

Mr. Kajal Ray,
Mr. Suman Nandi

...for the Petitioner.

The petitioner/plaintiff seeks expeditious disposal of O.S. (Will) Case No.01 of 2010, which is pending before the learned Additional District Judge, 5th Court at Burdwan.

It appears that an application for addition of party is pending and dates have been fixed by the learned court below for filing written objection.

Considering the age of the suit, this Court is of the view that the prayer of the petitioner is reasonable.

This Court has not expressed any opinion on the merits of the case. An order of expeditious disposal enures to the benefit of all the parties and hence this revisional application need not be served upon the opposite parties before its disposal. The prayer is innocuous.

Under such circumstances, this Court directs the learned Additional District Judge, 5th Court at Burdwan to dispose of the application within a period of three months from the next date fixed, upon giving adequate opportunity to the opposite party to contest the same. The probate case shall be disposed of within a year thereafter.

The learned court below shall proceed in accordance with law and independently, without granting unnecessary adjournments to either of the parties.

Accordingly, the revisional application is disposed of.

Petitioner is directed to serve a copy of the revisional application upon the opposite parties, along with a server copy of this order.

However, there will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)