

01.08.2023
Sl. No.64(DL)
srm

C.O. No. 2379 of 2023

Sri Tapan Mallick

Versus

Smt. Momita Chatterjee

Mr. Raghunath Das,
Ms. Monalisa Das

...for the Petitioner.

The petitioner prays for expeditious disposal of the Probate Case No.20 of 2015, which is pending before the learned District Judge at Tamluk, Purba Medinipur.

According to the petitioner, the application for temporary injunction which was filed on November 22, 2022 is still pending. It is submitted that even the ad interim order of injunction has not yet been considered by the learned court below.

An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite party is not required. The prayer is innocuous.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to dispose of the entire application within a period of two months from the next date fixed, independently and strictly in

accordance with law, upon granting adequate opportunity to the respective parties to contest the application and to file their written objection, if not already filed. Thereafter, the court shall proceed with the hearing of the probate case and dispose of the same within a period of one year from the date of disposal of the application. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the suit nor into the merits of application.

A copy of the revisional application, along with a server copy of this order, be served upon the opposite party within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)