

07.02.2023
Item No.13
Ct. No.7
CHC
(disposed of)

C.O. 2783 of 2022

Sri Prem Chand Gupta & ors.

Vs.

Baban Prasad Gupta & ors.

Ms. Debasree Dhamali,
Ms. Riya Ghosh

...for the petitioners

A direction to secure expeditious disposal of Probate Suit No.3 of 1983, pending before the learned Additional District Judge, Fast Track Court, Serampore, Hooghly, is the ultimate relief sought for in this case.

Adverting to order dated 17th February, 2011, passed in C.O.707 of 2010, Ms. Riya Ghosh, learned advocate appearing for the petitioners submits that there has already been a direction to ensure expeditious disposal of the probate proceeding within four months after the date of disposal of application under Order 22 Rule 3 C.P.C., but even after the disposal of the interlocutory application mentioned hereinabove, the probate proceeding has not yet been finally disposed of.

The only contention expressed by the petitioners is against the delay caused in disposal of the probate proceeding.

No other point is raised requiring address by this Court.

In view of the nature of 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 Judge, Fast Track Court, Serampore, Hooghly, is requested to ensure expeditious disposal of the Probate Suit No.3 of 1983 after causing disposal of interlocutory application, if there be any, providing sufficient opportunity of hearing to either of the parties to this case, subject to the suitability and convenience of the court below, but without granting any unnecessary adjournment, unless it is extremely unavoidable, preferably within four (04) months from the date of communication of this order.

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

Petitioners are directed to make communication of this order to the learned court below as well as to the

opposite parties and their learned advocate in the court below.

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.)