

10.10.2023.
Item no. 33.
Court No.19
ap

C.O. No. 3045 of 2023

**Sri Amit Kumar Das
Versus
Sri Swapan Pramanik & Ors.**

Mr. Mehboob Rahman,
Mr. Tanmoy Sett.

...For the petitioner.

The petitioner prays for expeditious disposal of the probate suit, which is pending before the learned District Judge, Purba Medinipur. The suit has been registered as Probate Suit No. 14 of 2022.

It is contended by the petitioner that although an application for grant of Probate had become contentious, the defendants have not filed their written statements and have been praying for adjournments.

It is submitted that no interlocutory applications are pending and the Probate case is ready for hearing.

Considering the submissions, the Court is of the view that the prayer of the petitioner is innocuous. Neither party stands to lose if a proceeding is disposed of expeditiously. In fact, such expeditious disposal shall enure to the benefit of the parties. Hence, there is no requirement for service of prior notice upon the opposite parties.

Under such circumstances, the revisional application is disposed of with a direction upon the

learned court below to dispose of the Probate case within a period of one and half years from the next date fixed, independently and strictly in accordance with law, upon granting adequate opportunity to the respective parties to contest the proceedings. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone into the merits of the Probate case.

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

The revisional application is, thus, disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Shampa Sarkar, J.)