

17.05.2023

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**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE**

C.O. 3958 of 2022

**Souvik Sinha
versus
N.A.**

Mr. Sandip Ghosh
Mr. Subrata Das
Mr. Debayan Ghosh
... for the petitioner

Supplementary affidavit filed on behalf of the petitioner is taken on record.

This revisional application has been filed by the petitioner under Article 227 of the Constitution of India praying for expeditious disposal of the Misc. Case No.162 of 2017(P) pending before the learned District Delegate at Barasat, 24-Parganas (North).

The brief fact of the case is that the petitioner filed an application for grant of probate in respect of last will and testament of Smt. Kamala Sinha, since deceased. Due to pendency of the application since 2017, the petitioner has preferred the revisional application for a direction upon the trial court for expeditious hearing of the probate application.

Mr. Sandip Ghosh, learned Advocate for the petitioner prays for passing necessary direction for

expeditious disposal of the application for grant of probate.

It appears from the order-sheet annexed to the application as well as supplementary affidavit that the Misc Case was heard and after examination of witnesses, date was fixed for passing order. However, on 13th June, 2022, petitioner filed application for amendment of the probate application. The said application for amendment was allowed on 1st November, 2022 and 21st April, 2023 was fixed for filing amended probate application. Since 21st April, 2023 was a holiday, hence date has been fixed on 29th August, 2023 for filing amended probate application. In the above premises, I do not find any reason for granting the prayer of the petitioner.

Petitioner is directed to file amended probate application on the date fixed.

With the aforesaid observation, the revisional application being **C.O. 3958 of 2022** stands disposed of.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

Urgent photostat copy of this order, if applied for, be given to the parties upon compliance of necessary legal formalities.

(Bivas Pattanayak, J.)