

April 23, 2024
Sl. No.A 69
Court No.19
s.biswas

CO 274 of 2024

Kalpana S. Vira
vs.
Gourav S. Vira

Mr. Sourojit Dasgupta
Mr. Abhinav Rakshit

... for the petitioner

Mr. Abhirup Chakraborty

... for the opposite party

The revisional application is not maintainable. The learned trial judge refused to allow the police authorities to take the original copy of the will which was filed in a probate suit. Subsequently, it appears that the police investigation is over and the police has filed a final report, upon closing the investigation. The final report declared that the dispute was civil in nature.

The petitioner is always at liberty to challenge the final report at the appropriate stage before the appropriate court.

Genuineness of the Will, will be decided in the probate suit. The learned court is requested to dispose of the suit expeditiously.

Moreover, the petitioner also has the option to pray for necessary orders in the suit at the appropriate stage, if it is his case that the signature did not belong to the testator, of course to the satisfaction of the trial court.

The revisional application stands disposed of accordingly.

All the parties are directed to act on the basis of
the server copy of this order

(Shampa Sarkar, J.)