

Item No. 13

Ct 22

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06.08. 2024

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

C.O. 1090 of 2022

**Sri Ranjit Banerjee
Vs
NA**

Mr. Apurba Kumar Ghosh
Mr. Rudranil Ghosh.

... for the petitioner.

1. This revisional application has been filed invoking the jurisdiction of this Court under Article 227 of the Constitution of India assailing an order dated 26.04.2018 passed in connection with Succession Case No. 67 of 2014, wherein learned District Delegates, Howrah passed an order returning the application for succession certificate to the petitioner for want of jurisdiction.
2. It was held that the application for succession certificate was filed before the District Delegates, Howrah in violation of Section 173 of the Succession Act as Sandhya Banerjee since deceased was a resident of Gangadharpur, PS Kakdweep, 24 Parganas (South) and her place of death at P67, Nilachal Complex, Kolkata 700017. That apart, the bank accounts are also situated at New Market and Garia beyond the jurisdiction of

the District Delegates, Howrah.

3. Learned counsel on behalf of the petitioner did not assail the order on the point of jurisdiction. He only submitted that the necessary direction be given for transmitting the entire records to the Court of learned District Delegates, Alipore, where petitioner has already filed an application for succession certificate registered as Act 39 Case No. 10 of 2019. Order itself discloses the return of application for grant of succession certificate.
4. Learned District Delegates, Howrah is requested to transmit the entire records to the District Delegates Alipore, if not transmitted, in the meantime.
5. With the aforesaid observation, the revisional application stands disposed of.
6. Petitioner is at liberty to communicate to this order to the District Delegates, Howrah.
7. Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.
8. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)