

07.05.2024
Ct. No. 19
Sl. No.91
Cp

C.O. No. 3064 of 2022

Anindya Sengupta
Vs.
Bibhas Sengupta & ors.

Mr. Shounak Mukhopadhyay
Mr. Sayantan Bose
Ms. Ankita Choudhury

.....for the petitioner.

The petitioner prays for expeditious disposal of O.C.
Case No.04 of 2016, which is pending before the learned
Judge, 5th Bench, City Civil Court at Calcutta.

It is submitted that the contentious probate suit, is
at the stage of evidence.

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.

The revisional application is disposed of with a
direction upon the learned court to make sincere
endeavour to dispose of the suit within six months from
date. Adequate opportunity shall be granted to the parties
to contest the same. This court has not expressed any
opinion on the merits of the suit. The learned court shall
proceed independently and in accordance with law.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties and/or the learned advocate contesting the matter on behalf of the opposite parties in the learned court below, within a week.

The revisional application is accordingly disposed of. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)