

02.07.2024
Ct.3.
Sl. 49.
sg

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Civil Revisional Jurisdiction
Appellate Side**

**C.O.84 of 2024
Priyanshu Biswas
Vs.
Sanjay Biswas & Ors.**

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Mr. Shubham Kumar
Ms. Sayanti Das
Ms. Priti Das
...for the petitioner.

This is an application wherein petitioner has sought for a direction upon the Court below for expeditious disposal of the Misc. Judicial case no. 13 of 2024 filed under Section 278 of the Indian Succession Act, which is pending before the learned District Delegate [Civil Judge (Senior Division), Jalpaiguri].

It is submitted that on 13th August, 2020, the executor of the will approached before the Trial Court and filed aforesaid application under Section 278 of the Indian Succession Act, along with the process fees.

It is further submitted that since initiation of the said proceeding matter is in standstill condition and yet to be disposed of by the Court below.

Accordingly the petitioner has sought for a direction upon the Court below for expeditious disposal of the said proceeding.

Since the prayer made on behalf of the petitioner is innocuous and if an order passed in terms of the prayer made in the petition, neither party will have cause to prejudice, service of copy of the application as well as notice upon the opposite party is hereby dispensed with.

Having considered the facts and circumstance of the case and that the proceeding under Section 278 of the Indian Succession Act is pending before the Court of District Delegate for a considerable period of time, I find that the prayer made in the present application is justified and required to be allowed for the ends of justice.

In such view of the matter CO 84 of 2024 is hereby disposed of with a direction upon the learned District Delegate [Civil Judge (Senior Division) Jalpaiguri] to make every endeavor for expeditious disposal of the Misc. Judicial case no. 13 of 2024 and shall make his best effort to conclude the entire proceeding, without granting any unnecessary adjournment to either of the parties, preferably within a period of twelve weeks from the date of communication of this order.

(Ajoy Kumar Mukherjee, J.)