

M/L- 8
01/09/2025
Ct. No.-6
Aritra

C.O. 3165 of 2025

**Sri Swapan Kumar Bhowmik
Vs.
Smt. Ratna Roy**

Ms. Ananya Mondal
Mr. Subhayan Barik
Ms. Manishka Dhar

....for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the executor praying for a direction upon the learned Additional District Judge, 5th Court at Barasat to dispose of the Other Suit No.46 of 2024 (Probate) expeditiously.

The learned advocate appearing for the petitioner submits that the probate suit is pending from the year 2024.

In view of the order sought and proposed to be passed this Court feels that there is no necessity to direct issuance of any notice upon the opposite party. However, the learned advocate for the petitioner shall be obliged to forward a copy of this application along with this order upon the opposite party or his learned advocates representing the opposite party before the learned Additional District Judge.

From the order sheets appended to this application, this Court finds that August 12, 2025 was fixed for hearing of the maintainability application.

The learned advocate appearing for the petitioner submits that such application was filed by the opposite party and the same is still pending. It appears from the order sheets that February 6, 2026 is fixed for hearing of the maintainability application.

CO 3165 of 2025 stands disposed of by requesting the learned Additional District Judge, 5th Court at Barasat to take up the hearing of the maintainability application on the next date fixed i.e. on February 6, 2026, if the same is otherwise ready for hearing, and to make an endeavour to dispose of the same as expeditiously as possible without granting any unnecessary adjournments to either of the parties. After disposal of the said application the learned Additional District Judge is requested to make an endeavour to dispose of the Other Suit No.46 of 2024 (Probate) expeditiously.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)