

25.2.2025
34
Ct. no. 237
sb

CO 3865 of 2024

Balkrishan Gourisaria
Vs.
Alok Gourisaria

Mr. S. Nayek
Ms. Rituparna Chatterjee
Mr. Zubeen Pandey
Ms. Megha Yadav ...for the Petitioner

Mr. Akash Dutta
...for the Opposite party

Affidavit of service filed by the petitioner is taken on record.

This is an application seeking transfer of the proceeding being Succession Case no. 246 of 2018 presently pending before the court of learned District Delegate at Alipore to the Chief Judge, City Civil Court at Calcutta.

It is submitted on behalf of the petitioner that the said deceased, Balkrishan Gourisaria was ordinarily residing at Loudon Street, Police Station-Shakespeare Sarani, Calcutta and as such, the learned City Civil Court is exercising ordinary original civil jurisdiction over the subject assets forming a part of the estate of the deceased, save and except two of the debtors of the deceased who are residing within the district of South 24 Parganas.

However, inadvertently the said proceeding has been filed before the District Delegate, South 24

Parganas at Alipore and for which the petitioner is facing inconvenience in conducting the said proceeding at Alipore.

Learned counsel representing the other legal heirs of deceased, Balkrishan Gourisaria raised no objection in respect of the aforesaid prayer for transfer.

Having heard the learned counsel appearing on behalf of both the parties, the prayer made by the petitioner is allowed, in the absence of any objection.

Learned District Judge, Alipore is hereby directed to withdraw the Succession Case being no. 246 of 2018 from the court of District Delegate at Alipore and to transmit the same to the learned Chief Judge, City Civil Court, Calcutta within a period of three weeks from the date of communication of the order, who in turn, will allot the case before a Bench having determination, within a period of two weeks thereafter.

The transferee court shall proceed with the said application for succession from the stage where it reached till date.

C.O. 3865 of 2024 is accordingly disposed of.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)