

ALP/15/2025

IN THE HIGH COURT AT CALCUTTA
Extraordinary Original Civil Jurisdiction
ORIGINAL SIDE

RANJIT KUMAR ROY

-VERSUS-

SANDHYA MONDAL @ SANDHYA RANI
MONDAL & ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA DUTT (PAUL)

Date : 15th January, 2026.

Appearance:

Mr. Subir Banerjee, Adv.

Md. Hossain, Adv.

...for the petitioner.

Mr. Vivek Basu, Adv.

Ms. Ishita Roy, Adv.

Mr. Ipsita Ghosh, Adv.

...for the respondent nos.1 to 3.

The Court: The present application has been preferred praying for transfer of Misc Case No.2 of 2022 (Revocation) old No.351 of 2022 (Mr. Ranjit Kumar Roy v. Smt. Sandhya Rani Mondal) pending before the Learned 5th Additional District Judge at Barasat and transferring the same to this Hon'ble Court in its Extraordinary Original Civil Jurisdiction for its trial and determination.

It is the case of the petitioner that his case for grant of probate of an Will is pending before this Court being number PLA/211/2006. It is further submitted that on the basis of a different Will, a letter of administration has been granted in favour of the respondent/opposite party herein. It is the contention of the

petitioner herein that out of the three properties in the Will of which probate has been sought for in PLA/211/2006, one of the said properties is a property in respect of which letter of administration has been granted in favour of the respondent. It is thus submitted that the letter of administration, in respect of which revocation has been prayed for involves one of the properties bequeathed in Will of which petitioner is the executor.

The petitioner has now prayed for transfer of Misc Case No.2 of 2022 (Revocation) which is an application for revocation of the letter of administration in favour of the respondent. It is further submitted that Misc Case No.2 of 2022 is required to be heard along with PLA/211/2006.

Considering that the property in Misc Case No.2 of 2022 is part of the Will of which probate has been prayed for in PLA/211/2006 and that the opposite party in the Misc case is also the respondent in PLA/211/2006, and that the two matters are connected and inter-dependent on each other, it appears that the conditions for transfer of the case are made out in the present application. It would be convenient for both the parties to have the matter heard before the High Court where PLA/211/2006 is pending.

Accordingly, this Court directs that Misc Case No.2 of 2022 (Revocation) old No.351 of 2022 (Mr. Ranjit Kumar Roy v. Smt. Sandhya Rani Mondal) pending before the Learned 5th Additional District Judge at Barasat be transferred to this Hon'ble Court in its ordinary original civil jurisdiction and be placed before the Bench having determination.

Liberty is, however, granted to the respondent herein to pray for vacating of the order of ex parte hearing subsisting in the Misc Case, which has been transferred to the High Court..

Let a copy of this order be sent to the Learned 5th Additional District Judge at Barasat.

Accordingly, ALP/15/2025 stands disposed of.

(SHAMPA DUTT (PAUL), J.)