

Act 39 case No. 41 of 2022

Order No. 05 Dt. 11.04.2023

Petitioner files hazira but takes no steps today.

Petitioner is directed to take steps positively.

Fix **12.07.2023** for taking steps by the petitioner in view of the office report.

Chief Judge

Order No.

Dt.

Hazira filed on behalf of the ptnr.

Today is fixed for hearing the application filed on behalf ptnr no. 2, Kalyan

Mukherjee.

Perused the petition and considered.

It is contended by the applicant that Ajoy Nath Gangooly, who was one of the executor died on 06.06.2019 during the pendency of the case.

Hd. Ld. Adv for the ptnr.

On perusal the petition and upon hearing the Ld. Adv , I am of the opinion that the ptn should be allowed.

Accordingly, the ptn dt. 09.07.2019 filed by ptnr no. 2 is hereby allowed. Let the name of A.N.Gangooly be deleted from the application .

D/c

Chief Judge  
Judge

Chief

Order No.

Dt.

Hazira filed on behalf of the opposite party namely Pritwijit Das. Op files another ptn praying for time for filing written objection against the probate application.

Perused the said petition, considered and the prayer is allowed.

Petitioner files an affidavit of service along with a postal receipt and track report showing that notice has been received by Piyanka Bhatt.

The application dated 08.11.2019 seeks for providing the copies of Will and the affidavit of consent to opposites party, is taken up for hearing.

I have heard Learned Advocates for both sides.

Having heard both sides and on perusal the application dt.08.11.2019 , I think that the prayer made by op should be allowed.

So, the application filed by op no. 1 is hereby allowed.

The petitioner is directed to serve the copies to opposite party by \_\_\_\_\_ positively with a direction to return the original Probate certificate, issued by the Ld. Court in the meantime.

Opposite party is also directed to file written objection in the meantime.

D/c

Chief Judge  
Judge

Chief

The case record is put up today by a put up petition.

Petitioner files another petition under order 6 rule 17 read with section 151 of CPC seeking for amendment in the affidavit of assets, is taken up for hearing.

I have heard Learned Advocate for the petitioner.

On perusal the application as well as the case record, it is contented that in affidavit in assets the fourth line of page 4 the word P.S 'Kayar ' will be deleted and the word "Kndaghosh' need to be incorporated and in page 7 the word 'Kayar ' to be inserted in place of 'Kayan'.

I have perused the application filed by the petitioner today and having heard the Advocate for the petitioner, I think that the amendment as sought for may be allowed.

Thus, the amendment is allowed .

Petitioner is directed to file amended copy of affidavit of assets by

\_\_\_\_\_.

D/c

Chief Judge  
Judge

Chief