

Present:- Kumkum Chattopadhyay

Revocation(P)-01 of 2018

Order no.38

Dated: 07.11.2024

Today is fixed for hearing. W.O if any in the mean time.

Both parties file haziras.

Heard Ld. Advocates for both sides.

Perused the petition under order 39 rule 1 & 2 CPC. On perusal of the petition it appears that the petitioners filed the instant case of revocation of a probate granted on 06.01.1992 by District Delegate, 1st Civil Judge (Sr. division), Alipore in case no. Act-39 -209 of 1990 in connection with shop good shops Smt. Kallyani Bhoumick, wife of Late Manindra Narayan Bhoumick. The petitioners filed this case challenging the grant of probate of the alleged last Will and Testament dt. 17.11.1985 by Kallyani Bhoumick.

It is submitted by Ld. Advocate that in a month of May, 2018 the petitioners came to know that the O.P s are trying to create third party interest by inducting tenant. It is further submitted by Ld. Advocate that the O.Ps are trying to create third party interest in the subject matter of this case constantly. This petition has been filed praying for an injunction restraining the O.Ps and their men and agents to change the possession of this property.

Ld. Advocate for the O.Ps raised objection.

However in my view that it would be proper to pass an order of status quo regarding the nature, possession and character of the property.

Hence, it is

ORDERED

that both parties are directed to maintain status quo regarding the nature and character and possession of the property as on this date till 07.12.2024.

To **07.12.2024** for hearing.

D/C by me

A.D.J.

Addl. District Judge
3rd Court, Alipore, South 24 Parganas
JO- WB000742

