

OD-18

ORDER SHEET

TS 1 of 2022  
IN THE HIGH COURT AT CALCUTTA  
TESTAMENTARY & INTESTATE JURISDICTION

IN THE GOODS OF :  
SRI DHIRENDRA MOHAN OJHA, DECEASED  
VS.  
SMRITIREKHA OJHA AND BIVA NANDY  
VS.  
MUKTI OJHA (KUMAR), MALA OJHA (KUNDU), DIPTI OJHA, TRIPTI OJHA  
(ROY) AND BANANI OJHA (INDU)

BEFORE:

The Hon'ble JUSTICE APURBA SINHA RAY

Date: 25<sup>th</sup> April, 2024.

Mr. Saumendranath Ganguly, Ms. Suparna Basu, Mr. Manabendranath  
Bandyopadhyay, Advocates for the propounders.

The Court : The learned Counsel appearing for the propounders has submitted that the five daughters being the caveatrix are not contesting this proceeding after framing of issues. Time and again this Court had granted opportunities to the said caveatrix to appear but they did not appear. Moreover, the witnesses of the petitioners/propounders have been examined but the caveatrix did not appear to cross-examine them.

In view of the same, the Court can proceed with the argument of the instant matter.

It appears from the record that the caveatrix are not appearing before this Court for a long time. It also appears from the record that the caveat filed by the caveatrix has not been discharged till now. However, it appears from the conduct of the defendants/caveatrix that they are not interested in proceeding with their caveat.

Accordingly, the caveat filed by the five defendants stands discharged.

List the matter for hearing of arguments on 26<sup>th</sup> April, 2024 at 12.30  
p.m.

(APURBA SINHA RAY, J.)

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