

OD-3

ORDER SHEET

PLA/195/2018
IA No.GA/1/2018 (Old No.GA/2860/2018)

IN THE HIGH COURT AT CALCUTTA
Testamentary and Intestate Jurisdiction
ORIGINAL SIDE

IN THE GOODS OF :
DR. PRASANTA BANERJI (DECEASED)

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : August 23, 2023.

Appearance:
Mr. Suddhasatva Banerjee, Adv.
Mr. Sounak Sengupta, Adv.
Mr. Gopal Pahari, Adv.
... for the petitioner

Mr. Debayan Sen, Adv.
... for the caveator.

The Court: Counsel for the petitioner is present.

By an order dated 14th July, 2023 as per the submission made by Mr. Sarvapriya Mukherjee, learned advocate, this Court has recorded that the caveator has filed the caveat and as such, PLA/195/2018 is to be converted to contentious cause and the department was directed to assign the testamentary suit number. On receipt of the order dated 14th July, 2023 the Section Officer of Testamentary Department has submitted the report wherein it is submitted that in terms of the order dated 18th January, 2023 passed by this Court, General Citation and Special Citation were issued to the parties on 3rd February, 2023 by the department but no caveat as well as affidavit in support of caveat or affidavit of consent has been filed in the department by any of the cited parties till date.

In view of the report submitted by the Section Officer of Testamentary Department dated 21st August, 2023, the order dated 14th July, 2023 is recalled.

In the report dated 21st August, 2023 it is also mentioned that the advocate on record of the petitioner has not taken any steps to include the name of Ms. Isha Banerji as co-petitioner in the probate application and in the affidavit of assets in terms of the order passed by this Court dated 27th March, 2023 passed in GA/3/2023.

Counsel for the petitioner prays for a week time to take appropriate steps for compliance of the order dated 27th March, 2023.

In view of the above, list the matter on 6th September, 2023.

(KRISHNA RAO, J.)

RS