

In the Court of the District Judge, Birbhum at Suri

Misc. Case – 97 of 2024

CNR No. WBBB01-004310-2024

Present:- Sri Santanu Jha, (WB00399)

District Judge, Birbhum.

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28.08.2026

Date is fixed for passing order in respect of issuing direction for deposit of the rest amount of the Arbitral Award as per direction of the Hon'ble Supreme Court of India.

All the contesting respondents filed hazira.

A fresh vokalatnama has been filed on behalf of the original respondent namely Narendra Kumar Anchalia & others and the same be kept with the case record.

Hazira has also been filed from the side of the petitioner / State of West Bengal.

Be it noted that vide order dated 27.07.2026 the parties were directed to submit their respective pleadings as regards alleged co-ownership in the subject property before proceeding further in accordance with the direction of the Hon'ble Supreme Court of India.

It is noteworthy that four claim petitions have been filed by the respondents no. 7 to 19 namely Sunil Anchalia, Dimple Bardia, Chandrakala Anchalia, Puspa Devi Anchalia, Manoj Kumar Anchalia, Himangshu Anchalia, Sanjoy Kumar Anchalia, Naveen Kumar Anchalia, Sundari Devi Anchalia, Lalit Anchalia, Pushpa Dharamchand Anchalia, Ankit Shridharamchand Anchalia and Prerna Dharamchand Anchalia.

In view of such claim petitions filed by the concerned parties as mentioned above, a further opportunity is given to the rival parties to file counter / rejoinder, if any, in respect of such claims by rival sides. Such counters / rejoinders, if any, will have to be filed by or before next date after service of copy to all other parties.

Two applications were filed on 12.08.2026 by the original respondents namely Narendra Kumar Anchalia and others praying for recalling the orders dated 09.07.2026 & 10.07.2026.

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Be it noted that the Hon'ble Supreme Court of India was pleased to direct in M.A no. 1429/2024 in Civil Appeal no.2672/2024 that *“The Reference Court is directed to release 25% of the deposited amount in favour of the original respondents, including Narendra Kumar Anchalia, within one week. This release shall be subject to his furnishing an undertaking on affidavit that after the adjudication of the apportionment / title suit, the excess amount, if any, shall be refunded along with interest, as may be determined by the Court. Such undertaking shall be furnished before the Reference Court; (ii) The Reference Court is directed to keep the balance amount in a Fixed Deposit in a Nationalised Bank, which would fetch the maximum rate of interest; (iii) The Reference Court is further directed to decide the inter se apportionment / title dispute between the parties as early as possible and preferably within three weeks. The disbursement of the balance amount shall depend upon the outcome of those proceedings.”*.

In accordance with the said direction, 75% of the Arbitral Award which is lying as Civil Deposit requires to be withdrawn and subsequently be deposited in a nationalized bank under a fixed deposit scheme which would fetch interest. It is observed that the said amount may be kept in the State Bank of India, Suri Main Branch, Suri, Birbhum and a copy of this order be communicated to the Chief Manager, State Bank of India, Suri Main Branch, Suri, Birbhum for taking necessary steps.

Accordingly, Dealing Assistant is hereby directed to take steps to file a payment order on behalf of District Judge, Birbhum to withdraw 75% of the Arbitral Award amount i.e. Rs. 7,90,03,500/- and to deposit the same as Fixed Deposit at State Bank of India, Suri Main Branch, Suri, Birbhum.

Dealing Assistant is directed to file a payment order of Rs. 7,90,03,500/- by or before the next date as fixed.

The Bank authorities are requested to make arrangement for opening a Fixed Deposit account in the name of District Judge, Birbhum for the said amount to the tune

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of Rs. 7,90,03,500/- as per banking rules. It is further mentioned that the said money will remain deposited in such fixed deposit scheme till further order. It is also necessary to mention that after an appropriate decision is taken by the Court, the amount will have to be disbursed and till then the money will remain deposited in such account. The relevant documents / certificates in respect of such a fixed deposit to be issued by the bank, should be kept in safe custody of the Nezarath Department.

Fix **08.09.2026** for hearing of said recall applications. W/O, if any, in the meantime.

To date also for filing counters / rejoinders.

Copies of the applications filed by the original respondent be supplied to all the rival sides.

D.A to comply.

Dictated & Corrected by me.

District Judge, Birbhum.

District Judge, Birbhum.
(JO Code-WB00399)