

L. A. Case No. 02 of 2018

Present : Smt. Jayashree Banerjee, Chief Judge (WB 01049)

Order no. 43 dated 09.04.2024 :

Hazira is filed on behalf of applicant.

Today is fixed for hearing the petition dated 12.12.2023.

Heard. Perused the petition.

Now, the case is taken up for passing order in respect of the petition for appointing an Advocate Commissioner.

It is submitted by the applicant that they have filed the instant case for getting Letter of Administration in respect of the estate left by the deceased Girdhari Lal Dwarka Das Harit also known as G.D. Harit also known as GirdhariLal Sharma. It is also contended that he filed the instant application for appointment of an Advocate Commissioner for conducting commission works and to cause an inspection of the contents lying in two bank Lockers, one being Locker No. 508, Type-A with Bank of Baroda(earlier known as Dena Bank), Manish Nagar Branch, J.P. Road, Andheri(West), Mumbai-400 053 and another Locker No. 3835A, Type-A with Punjab National Bank, 5, Clive Row, Kolkata- 700001, both are standing in the name of the deceased Girdhari Lal Dwarka Das Harit also known as G.D. Harit also known as GirdhariLal Sharma. It is also contended that the assets as described in the schedule to the application for Letters of Administration are lying in the aforesaid lockers. As such, inventory of the said lockers are required to establish the assets in the lockers by appointing an inventory or Advocate commissioner.

Heard. Considered.

Having heard Ld. Lawyer for the applicant, this Court is of the view that for proper adjudication of the case, the prayer made by the applicant in the instant application should be allowed.

Thus, the application praying for appointment of an Advocate Commissioner is allowed.

Gopal Krishna Maity(Contact No. 8420030704), Ld. Advocate is hereby appointed as an Advocate Commissioner for conducting inventory of one being Locker No. 508, Type-A with Bank of Baroda(earlier known as Dena Bank), Manish Nagar Branch, J.P. Road, Andheri(West), Mumbai-400 053 and another Locker No. 3835A, Type-A with Punjab National Bank, 5, Clive Row, Kolkata-700001 standing in the name of the deceased Girdhari Lal Dwarka Das Harit also known as G.D. Harit also known as GirdhariLal Sharma by visiting the banks.

Ld. Advocate Commissioner shall make inventory of the assets lying in the lockers in presence of the applicant, the Branch Manger or any other Bank Official on behalf of the Branch Manager.

The Ld. Advocate Commissioner shall make field note of the same and submit a report along with field note stating details of the inventory before this Court.

Ld. Advocate Commissioner shall conduct the inventory after serving notice upon the bank authority and the applicant about 10 days prior to the date of inventory of the locker.

....contd.

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Contd. ...Ord. no. 12 dated 24.04.2024 :

The remuneration of the Ld. Inventory Commissioner will be Rs.25,000/- only, to be paid by the applicant.

Issue writ accordingly.

Thus, the application is disposed of.

Let a copy of this order be handed over to the Ld. Advocate Commissioner for information and necessary action.

Fix 28.06.2024 for submitting report by the Ld. Advocate Commissioner.

Dictated & corrected by me,

Sd/-

Chief Judge

Sd/-

Chief Judge
City Civil Court, Calcutta.