

EJECTMENT SUIT NO. 202 OF 2007 [1228/2014]

C. N. R. NO. WBPS01-000571-2007

Before Sri M. N. Ghosh, Ld. Judge, 2nd Bench.

ORDER NO. 119 DATED 03.04.2024

Ld. P.O. has been transferred.

Today is fixed for further P.W.l and hearing of the petition filed by the Plaintiffs dated 06.12.2023.

Both parties have filed hazira through their respective ld. Advocates.

Ld. Advocate for the plaintiffs is present.

The record is taken up for hearing of the petition dated 06.12.2023.

Heard ld. Advocate for the Plaintiffs who has submitted, by filing the instant petition, that on or about 05.08.2021, one of the Trustees namely Shri Dhanpat Raj Bhansali, Plaintiff no.5, has retired from the Trust and on or about 28.07.2022, one of the Trustees namely Shri Sajjan Kumar Phumbhra, Plaintiff no.2 expired and the newly appointed Trustees namely Shri Ashok Vardhan Bagree and Shri Om Prakash Lohia be substituted in their place.

Perused the petition and the materials on record.

On careful perusal of the materials on record, it appears that the plaintiffs have filed one copy of Board Resolution dated 05.09.2022 wherefrom it is crystal clear that only Sri Om Prakash Loha has been duly authorized one of M. B. Commercial Trust though the name of Shri Ashok Vardhan Bagree also appears from the copy of Deed of Indenture dated 31.08.2022 filed by the Plaintiffs. In my considered view, unless and until the name of Shri Ashok Vardhan Bagree appears from the copy of Board Resolution, the instant petition cannot be disposed of.

Accordingly, Plaintiffs are directed to produce copy of Board Resolution, if there be any, showing the name of Shri Ashok Vardhan Bagree positively on the date fixed.

Fix 25.04.2024 for production of necessary document by the Plaintiffs and further hearing of the petition dated 06.12.2023 filed by the Plaintiffs.

Dictated and corrected by me,

JUDGE-IN-CHARGE

JUDGE-IN-CHARGE

[5TH BENCH]

J.O. Code No. WB01229.