

10.12.2025
Item No.9
Ali
ct. no.9

SAT 254 of 2023
With
IA No.:CAN/1/2024, CAN/2/2025

M/s. Ananta Engineer Stores & Ors.
Vs.
Debiprasad Mal & Anr.

Mr. Debjit Mukherjee,
Mr. Kaustav Bhattacharya,
Ms. Priyanka Jana

..... for the appellants.

Mr. Haradhan Banerjee,
Mr. SomnathRoy Choudhury,
Ms. Arpita Choudhury,
Ms. Soumita Shaw

.....for the respondents.

1. Learned advocates for the parties are present.
2. The application CAN 1 of 2024 which is for stay of the execution of the decree passed by the learned Trial Court and CAN 2 of 2025 which is for fixing the occupational charges is taken up for consideration.
3. These matters are to be heard analogously and as the occupational charges are claimed by the plaintiffs/respondents, this Court is of the view that for ascertaining reasonable occupational charges; the matters have to be enquired by a Special Officer appointed by this Court. Thus, Mr. Prosenjit De, learned Advocate Ph. No. 9883646037 is appointed as Special Officer at remuneration of 500 G.Ms. to be shared equally by the parties. The learned

Special Officer shall visit the suit premises and take photograph of the said premises and measures the area and consider the age of the said premises and the prevailing rent in the adjacent area.

4. Upon considering these facts the Special Officer shall submit report before this Court on or before 13th January, 2026.
5. Let this matter appear on 13th January, 2026 at 12.00 Noon.
6. The learned Special Officer shall serve notice upon both the parties and their learned advocates conduct enquiry and submit the report.
7. The necessary documents with regard to the suit premises shall be submitted by the learned advocates to the Special Officer.
8. The interim order granted earlier is extended till 22nd January, 2026 or until further order whichever is earlier.

(Biswaroop Chowdhury, J.)