



F.A. 177 of 2024
CAN 3 of 2022

Amal Kumar Ghosh
Vs.
Rathindra Mohon Ghosh & Ors.

Mr. Prabir Kumar Misra
Mr. Shibendranath Chattopadhyay
Mr. Priyam Misra
Mr. Tarven Talukder
Ms. Ankita Misra
Mr. Sanket Chandra

...for the Appellant

Mr. Kumaresh Dalal

...for Respondent Nos.1 & 2

Mr. Mohit Chatterjee
Mr. Kousik Chatterjee

...for Respondent No.3 (b)

In Re: CAN 3 of 2022

1. We find from the order dated June 26, 2023 that the present application bearing CAN 3 of 2022 was directed to be heard along with the appeal. The applicant was directed to keep a strict account of the collection of rent and the expenses being made out of that rent in respect of the property. Accordingly, sufficient protection has been given with regard to the interest of the parties.

2. We make it clear that the said accounts, which were directed to be kept by the applicant, shall be produced in Court, if so directed by the Court at any point of time during pendency of the appeal or at the final hearing of the appeal.



3. In view of the direction for the application to be heard along with the appeal, no further order need be passed at this juncture.

4. Learned counsel for the respondent no.3 (b) submits that paper books have already been prepared; however, the previous remand order passed by this Court and the amended plaint have not been incorporated therein.

5. The learned advocate for the appellant shall, accordingly, prepare the requisite number of supplementary paper books incorporating all relevant documents, if omitted in the original paper books, including a copy of the judgment and order of remand passed previously by this Court and the amended plaint, and file the same within January 15, 2025, upon giving advance copies to the respondents.

6. The appeal will be listed for hearing on January 23, 2025.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)