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IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

IA NO. GA/5/2022
IA NO. GA/6/2022
IA NO. GA/8/2023
In CS/220/1868

BISWANATH MITRA
Vs
K. C. BASU

BEFORE:
The Hon'ble JUSTICE SUGATO MAJUMDAR
Date :15th January, 2024.

APPEARANCE:
Mr. A.K.Boral,Adv.
...for the plaintiff.

Mr. Surajit Nath Mitra,Sr. Adv.
Mr. Souvik Mitra,Adv.
...for Saibal Narayan Deb, Tapas Bose & Debraj Mitra.

Ms. Labani Pan,Adv.
...for Bikram Adhikary.

The Court: It is alleged in GA No. 5 of 2022 that the property at Shukchar was sold at thrown away price of Rs. 3 lakh whereas the market value was Rs. 48, 52,666/-.

Mr. Mitra, learned Senior Counsel appearing for the estate submitted that because of illegal occupation of the land by club and others, market value which ideally should be in the record of the Government of West Bengal was

diminished to a great extent. To avoid expensive and extensive litigation against the encroachers, the trustees decided to sell away a portion of the property at Rs. 3 lakh to one of the occupiers, namely Bikram Adhikary, so nominated by the occupiers.

This Court thinks it fit to make a proper valuation of the property in question for adjudication of this issue. Accordingly, a suitable valuer may be appointed by the learned Registrar, Original Side from the empanelled valuers of this High Court. The remuneration of the valuer shall be decided on the returnable date. The valuer, so appointed, shall submit a report on the returnable date too.

Let the matters appear in the list on 21st February, 2024 with liberty to mention.

A copy of this order may be sent to the learned Registrar, Original Side as well as to Bikram Adhikary.

(SUGATO MAJUMDAR, J.)