

ORDER SHEET  
IN THE HIGH COURT AT CALCUTTA  
Ordinary Original Civil Jurisdiction  
ORIGINAL SIDE

IA NO. GA/61/2019  
(Old No: GA/2161/2019)  
In CS/2706/1955  
SMT. GOURI SIRKAR & ORS./BROJESWAR SIRKAR  
Vs  
SUDESHNA SARKAR & ORS

IA NO. GA/49/2013  
(Old No: GA/1817/2013)  
In CS/2706/1955  
SM. GOURI SIRKAR & ORS  
Vs  
SMT. SUDESHNA SIRKAR & ORS

BEFORE:  
The Hon'ble JUSTICE SUGATO MAJUMDAR  
Date : 28<sup>th</sup> MARCH, 2023.

Appearance :  
Mr. B. Nandi, Adv.  
Mr. S. Sen, Adv.

Mr. A. Bose, Adv.  
Mr. J. Dhar, Adv.

Mr. A. P. Ghosh, Adv.  
Mr. P. Naskar, Adv.

The Court : The copies of the reports of the Joint Special Officers are handed over to the parties.

In terms of the Order of the Division Bench dated 24<sup>th</sup> August, 2015, the Division Bench directed the Joint Receivers to immediately conduct inspection and prepare inventory of all the joint family properties mentioned in the preliminary decree.

In the said Order, the parties were directed to assist the Joint Receivers for conducting the above inspection and preparing the inventory. Subsequently, in terms of the Order of Single Bench of this Court on 24<sup>th</sup> November, 2017 directed the Joint Receivers to visit the place, namely, Ghatshila with observation that on any disputed issue,

the Joint Receivers will have the power to use their discretion and take decision. In view of such consecutive orders, the Joint Special Officers/Joint Receivers are duty bound to comply with. Therefore, the Joint Receivers shall immediately take steps to conduct an inspection and preparation of inventory of all the joint family properties mentioned in the preliminary decree.

In compliance with the Division Bench Order dated 24<sup>th</sup> August, 2015, it is further clarified that the Joint Receivers shall exercise their own discretion and decision as and when necessary as contemplated in the Order dated 24<sup>th</sup> November, 2017. Parties are directed to co-operate with the Joint Receiver in discharging their duties. If necessary the Joint Receiver shall apply to the concerned police authorities for extending their support and need. The Joint Receivers shall take such necessary and incidental steps to complete the work as they may deem fit and proper exercising their discretion and own decision making power.

The whole exercise shall be completed within a period of two months.

Let the matter appear in the list on 7<sup>th</sup> June, 2023.

Travelling and incidental cost, as may be incurred by the Joint Receivers, shall be borne out of common fund. The date which has already been fixed on 17<sup>th</sup> April, 2023 is postponed accordingly.

Parties are at liberty to mention the matter before this Court for any further direction or clarification.

(SUGATO MAJUMDAR, J.)