OD-21

ORDER SHEET

IA No. GA 7 of 2020
In TS No. 5 of 2017

IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY AND INTESTATE JURISDICTION
ORIGINAL SIDE

IN THE GOODS OF:
INDUMATI GIRJASHANKAR OJHA @ INDUMATI G. OJHA
AND
PURUSHOTTAM JAGANNATH BHIDE
VERSUS
BHAVIT BOLE

BEFORE:
The Hon'ble JUSTICE DEBANGSU BASAK
Date : 22nd December, 2020.

(VIA VIDEO CONFERENCE)

Appearance:
Mr. Ranjan Bachawat, Sr. Adv.
Mr. Debnath Ghosh, Adv.
Mr. Debasish De, Adv.
Ms. Debanjana De, Adv.

Ms. Krishna Parkhani, Adv.

Mr. Chayan Gupta, Adv.

Ms. Usha Doshi, Adv.

The Court :- The application is taken up for consideration subsequent to the order dated December 15, 2020.

By the order dated December 15, 2020, Shri Rajeshwar Parkhani was restrained from dealing with and/or selling and/or encumbering any of the shares of the deceased transferred to his dematerialized Account in any manner whatsoever.

Learned advocate appearing for Mr. Parkhani submits that she is stationed in Delhi and that she requires time to engage an advocate at Kolkata.

Learned senior advocate appearing for the applicant submits that Mr. Parkhani should disclose transfer of shares, if there be any, on affidavit. He submits that, if there be any transfer of the share, then such transferees should also be restrained from making any further transfer.

The other parties to the testamentary suit are represented.

The prayer of the applicant with regard to transfer of shares being reasonable, is accepted.

Transferees of the shares held by the deceased will not transfer such shares to any third party or create any encumbrance thereon.

In the facts of the present case, it would be appropriate to permit the parties to file affidavits.

Mr. Rajeshwar Parkhani is also permitted to file an affidavit in this application. In such affidavit, Mr. Parkhani will tabulate the transfer of shares, if there be any, belonging to the deceased. He will state the details of the shares transferred and the persons to whom such transfer took place including the consideration thereof, if there be any. He will also disclose the quantum of dividends, if any, that he received in respect of the shares belonging to the deceased in the affidavit.

Let such affidavit be filed by January 22, 2021; reply, if any, by January 29, 2021.

List the application as 'Chamber Application For Final Disposal' on February 2, 2021.

(DEBANGSU BASAK, J.)

sp3