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

AOT/1/2026

THE OFFICIAL TRUSTEE OF WEST BENGAL
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: March 19, 2026.

Appearance:

Mr. Indranil Nandi, Adv.

Mr. Sayak Konar, Adv.

...for the petitioner

Mr. Sirsanya Bandyopadhyay, Sr. Adv.

Mr. Deepnath Roy Choudhury, Adv.

...for the respondent nos. 5 & 6

Mr. Nilotpal Chatterjee, Adv.

Ms. Manisha Nath, Adv.

...for KMC

Mr. S. K. Bajoria, Adv.

...for the Caveator 26 No. Ezra Street Electric

Tenants Welfare Association.

The Court: The two reports, one dated 18th March, 2026 filed by the Executive Engineer (C/Bldg./Borough- V) and the other being a joint report dated 13th March, 2026 prepared by the Chief Manager (License Department)

and License Officer (HQ) of Kolkata Municipal Corporation (in short KMC) filed in Court are taken on record.

Let copies of these reports be made over to the official trustee and the police authorities.

In terms of the order dated 18th February, 2026 the Kolkata Police Authorities have ensured the presence of Mr. Suresh Kumar Daga, Mr. Sunder Lal Bothra and Mr. Neeraj Daga, the three directors of Monotona Marketing Pvt. Ltd. The other director is out of station for his treatment.

Mr. Suresh Kumar Daga has produced his Aadhaar Card, Pan Card and Driving License to prove his identity. The Aadhaar Number is 6241 1417 4373. The Pan Card No. is AGXPD9870E. The Driving License No. is WB-0119660903418. The Driving License was valid till 23rd February, 2022.

As per the Aadhaar Card, Pan Card and the expired Driving License the date of birth of Suresh Kumar Daga is 12th November, 1946. The residence of Mr. Suresh Kumar Daga as per the Aadhaar Card and the expired Driving License is 45, Jatindra Mohan Avenue, Kolkata 700 005. Records reveal that the father's name of Suresh Kumar Daga is late Deekishan Daga.

Mr. Suresh Kumar Daga admits that he is one of the directors of Monotona Marketing Pvt. Ltd. having its office at 27, Ezra Street, Kolkata 700 001. Mr. Daga submits that the registered office of the said Monotona Marketing Pvt. Ltd. was at 27, Ezra Street, Kolkata 700 001 has been destroyed by fire. Mr. Suresh Kumar Daga also submits from that he is operating the company from 14/2, Old China Bazar Street, Kolkata 700 001, which, according to him, is the office of his son Neeraj Daga. On being asked as to

when he will be paying the sum of Rs.30 lakhs as directed by the Division Bench in its order dated 17th January, 2025 passed in FAT 3469 of 2001, Mr. Daga seeks further time. This Court is unable to grant him time more than ten days as one year and two months have passed in between. This Court is also not confident about the whereabouts of Mr. Suresh Kumar Daga as he did not appear in spite of being served by the official trustee by the police authorities until the police authorities were directed by the order dated 18th February, 2026 to ensure his presence.

Mr. Sunder Lal Bothra has produced his Aadhaar Card, Pan Card and Driving License to prove his identity. The Aadhaar Number is 4047 6479 4872. The Pan Card No. is ADQPB1758B. The Driving License No. is WB11 19930046575. The Driving License is valid till 12.08.2030.

As per the Aadhaar Card, Pan Card and the Driving License the date of birth of Sunder Lal Bothra is 22nd September, 1953. The residence of Mr. Sunder Lal Bothra son of B.C. Bothra as per the Aadhaar Card is 64, Saila Kumar Mukherjee Road, Haora, Haora (m.corp), Haora, Howrah, West Bengal-711101 . Records reveal that the father's name of Sunder Lal Bothra is late Bane Chand Bothra. However, he says that he is presently resides at premises No. 30, Bondel Road, Kolkata-700019. As per driving licence his address is Orbit Sky Garden, 12th floor, Flat-12A, 30, Bondel Road, Kolkata-700019. Mr. Sunder Lal Bothra admits that he is one of the directors of Monotona Marketing Pvt. Ltd. having its office at 27, Ezra Street, Kolkata 700 001.

Mr. Neeraj Daga has produced his Aadhaar Card to prove his identity. The Aadhaar Number is 6369 3614 3480. As per the Aadhaar Card the year of

birth of Neeraj Daga is 1978. The residential address of Mr. Neeraj Daga as per Aadhaar Card is C/o Suresh Kumar Daga, 45, Jatindra Mohan Avenue, near Sovabazar Metro Station, Burtalla, Hatkhola S.O. Kolkata, West Bengal 700005, Mobile No. 9830972549. Mr. Suresh Kumar Daga, one of the other directors is the father of Neeraj Daga.

Mr. Suresh Kumar Daga, Mr. Sunder Lal Bothra and Mr. Neeraj Daga are given time upto 30th March, 2026 to deposit Rs. 30,00,000/- with the Official Trustee as directed by the order dated 17th January, 2025 passed by the Division Bench in FAT No. 3469 of 2001 and the order dated 21st January, 2026. The police authorities shall ensure that Mr. Suresh Kumar Daga, Mr. Sunder Lal Bothra and Mr. Neeraj Daga do not leave the local limits of Kolkata under the Kolkata Police jurisdiction till 31st March, 2026 when this matter is made returnable.

It is submitted by the Official Trustee that some of the encroachers claiming to be the tenants without any valid documents are trying to re-enter the premises and get electric connection to establish their possession.

The Commissioner of Police, Kolkata, the Deputy Commissioner of Police, Kolkata (Central) and the Officer-in-Charge, Hare Street Police Station shall ensure that there is no intrusion into the subject premises. The CESC Limited is also directed not to give any fresh connection or re-install the electric connection if any to anyone at the concerned premises.

Mr. Suresh Kumar Daga, Mr. Sunder Lal Bothra and Mr. Neeraj Daga are directed to be present on the returnable date.

Let this matter appear on 31st March, 2026. A copy of this order be served by the official Trustee to CESC Limited.

(ARINDAM MUKHERJEE, J.)

S.Mandi/G.H/snn/sb.