

OD-5

ORDER SHEET

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

AGA/2/2024

IN THE MATTER OF :
THE ADMINISTRATOR GENERAL OF WEST BENGAL

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : December 4, 2024.

Appearance:

Mr. Sayak Konar, Adv.
... for the petitioner

Mr. Sayan Ganguly, Adv.
Mr. Arindam Mondal, Adv.
... for the State

Mr. Sourodipta Banerjee, Adv.
Ms. Fatima Hassan, Adv.
... for the M/s. Shreepati Apartment Pvt. Ltd.

The Court: Mr. Sayak Konar, learned counsel, is appearing for the petitioner.

Mr. Sayan Ganguly, learned counsel, is appearing for the Administrator General and Official Trustee of West Bengal.

Mr. Sourodipta Banerjee, learned counsel, is appearing for M/s. Shreepati Apartment Private Limited.

The matter is listed as "To Be Mentioned" on the prayer made by the counsel for the petitioner.

It is submitted that the lessee, namely, Shreepati Apartment Private Limited has deposited the security amount of Rs.62,000/- being the 20% of the monthly lease rent of Rs.3,10,000/- through Demand Draft No.970086 dated 26.06.2024 in the name of the Administrator General and Official Trustee of West Bengal but the office of the Administrator General and

Official Trustee of West Bengal could not realize the said amount and as such, the date of the Demand Draft has elapsed. Accordingly, counsel for the Administrator General and Official Trustee prays for direction upon M/s. Shreepati Apartment Private Limited to take back the Demand Draft No.970086 dated 26.06.2024 of Rs.62,000/- and to provide a new Demand Draft of Rs.62,000/- or to get the old Demand Draft revalidated for a further period of three months.

Counsel for the Administrator General and Official Trustee submits that they have already sent the said Demand Draft to M/s. Shreepati Apartment Private Limited by post but the said firm has not received the same.

In view of the above, M/s. Shreepati Apartment Private Limited is directed either to revalidate the earlier Demand Draft or to give a new Demand Draft in the name of the Administrator General and Official Trustee of West Bengal for an amount of Rs.62,000/- within a period of three weeks from date.

After receipt of the Demand Draft by the Administrator General and Official Trustee of West Bengal from Shreepati Apartment Private Limited, the Administrator General and Official Trustee of West Bengal is directed to complete all the formalities for execution of the lease deed within a period of six weeks.

Let the matter appear on 5th February, 2025 for further orders.

(KRISHNA RAO, J.)