

OD- 43

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

IA NO. GA/26/2025

In

CS/286/1976

BHUPESH KUMAR MAHAWAR

Vs

MAHABIR PRASAD MAHAWAR & ORS.

BEFORE:

The Hon'ble JUSTICE BISWAROOP CHOWDHURY

Date: 21st August, 2025.

Appearance:

Mr. Ovik Sengupta, Adv.

Mr. Saptarshi Bhattacharjee, Adv.

...for the plaintiff

Mr. Sunil Kumar Singhania, Adv.

Ms. Madhurima Halder, Adv.

...for the defendant Nos. 1(a), 1(b) (i), 1(b)(ii), 3(a), 3(b)(i), 3(b)(ii),

3(b)(iii), 3(b)(iv), 3(c), 4(a) (i), 4(a)(ii), 4(d) (i), 4(d)(iii), 4(e), 4(f),

5f(i), 5f(ii), 6(c), 6(d), 6(e) (ii), 6(e) (iv), and 6(e) (iii),

13(a), 13(c), 15(a), 15(b), 15(c), 15(d), 16, 17 and 18

Mr. Shankarshan Sarkar, Adv.

Mr. Arindam Paul, Adv.

Mr Uday Sharma, Adv.

...for the intending purchaser/successful bidder

The Court: Learned Advocate representing the Joint Receiver and learned Advocates for the parties are present.

The Joint Receivers have submitted the report with regard to the amounts offered by the intending purchasers at the auction sale with regard to the property at Aryanagar and the property at Gopalbag.

It appears from the report of the Joint Receivers that four intending purchasers have submitted their bid with regard to the property at Aryanagar and as per the report of the learned Joint Receivers, the same was submitted prior to the closing date 12th August, 2025.

Upon perusal of the bids submitted, it appears that serial no.4 as mentioned in page 20 of the Joint Receiver's Report, reflects that the highest bid submitted with regard to the said property is Rs.2,65,01,001/- and the earnest amount is already deposited. Thus, the highest bid submitted shall be accepted by the Joint Receivers and the earnest money submitted by the other intending purchasers namely, serial nos.1, 2, and 3 as per the Receiver's report shall be returned to the said intending purchasers. Thus, the highest bid of Shiva Estate Aryanaga, Koshi Kalan, Mathura, UP, Pin Code-281403 is declared to be accepted and the same has to be proceeded with.

With regard to property at Gopalbag, it appears from the Joint Receivers' report that ten intending purchasers have submitted their bid. Out of the ten intending purchasers, the name appearing at serial no.1 has submitted the highest offer amount and has also submitted the earnest money. Thus, the purchaser appearing in serial no.1 of the Joints Receivers' report at page no.20 be accepted and the earnest money received with regard to the other intending purchasers be returned. Thus, Ajay Khandelwal, House No.2590, Brahminpuri, Koshi Kalan, Mathura, U.P., Pin Code 281403 is declared to be the highest bidder. The said bid shall be proceeded with.

With regard to the property at Tejmandi, as it appears from the report that no offer has come. Thus, steps are to be taken by the Joint Receivers to publish once again, one in English newspaper and other in Hindi newspaper, widely circulated in the said locality, within a period of three weeks from date and the last date for receipt of such applications shall be 28th October, 2025.

The Joint Receivers shall issue notice upon the highest bidders within a period of one week directing them to pay the entire amount on or before 17th September, 2025 and upon receipt of the entire consideration amount, the Joint Receiver shall take all necessary steps so that the execution and registration of the said deed is completed on or before 24th September, 2025.

Let the report be filed by the Joint Receivers on 29th October, 2025.

The execution of the deed has to be done by the Joint Receivers on behalf of the parties and the notice of the date of execution has to be given by the Joint Receivers upon Advocates representing the parties and to the purchasers.

Let further remuneration of 3000 GMs each be paid to the Joint Receivers as an adhoc payment.

Let this matter appear on 29th October, 2025.

Let GA 18 of 2022 be listed on the same date on 29th October, 2025.

(BISWAROOP CHOWDHURY, J.)