

OD-4

IA NO. GA/18/2022
In CS/286/1976
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

BHUPESH KUMAR MAHAWAR
Vs
MAHABIR PRASAD MAHAWAR & ORS.

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 26th July, 2022.

Appearance:
Mr. Chayan Gupta, Adv.
Mr. Ovik Sengupta, Adv.
Mr. Subhankar Chakraborty, Adv.
Mr. S. Bhattacharjee, Adv.
...for petitioner.

The Court : This is an application for recording the death of the Joint Receiver/Commissioner appointed in this suit. By an order dated 4 June, 1998 read with the order dated 8 July, 2002, Joint Partition Commissioner was appointed in respect of the suit premises. It is submitted on behalf of the applicant that during the pendency of this suit one of the Joint Commissioners i.e. Mr. P. Nath (expired on 16 September, 2021).

None appears on behalf of the respondent nor is any accommodation prayed for on their behalf. In view of the death of one of the Joint Commissioner Mr. Gurudas Mitra (Moble No.6290883401) is appointed Joint Receiver/Commissioner of Partition. The petitioner is directed to serve a copy of this application on the Receiver. In the meantime, there shall be an order in terms of prayers (a), (b), (d) and (e) of the Notice of Motion.

Let this matter appear on 8 August, 2022 for further orders.

The petitioner is directed to serve a copy of this order on all the parties and the respective Advocates and file Affidavit of Service on the returnable date. The question of remuneration of the Joint Receiver/ Commissioner would be fixed on the returnable date.

(RAVI KRISHAN KAPUR, J.)

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