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

CS/286/1976

IA NO: GA/1/1997(Old No:GA/1996/1997), GA/4/1999(Old  
No:GA/5025/1999), T/6/1999(Old No:T/1650/1999), GA/13/2015(Old  
No:GA/3129/2015), GA/18/2022, GA/19/2023, GA/20/2024

BHUPESH KUMAR MAHAWAR  
VS  
MAHABIR PRASAD MAHAWAR & ORS.

BEFORE:

The Hon'ble JUSTICE SUGATO MAJUMDAR

Date: 16<sup>th</sup> May, 2024.

APPEARANCE:

Mr. Chayan Gupta,Adv.

Mr. Ovik Sengupta,Adv.

Mr. Saptarshi Bhattacharjee,Adv.

...for the plaintiff.

Mr. Sunil Kr. Singhania,Adv.

...for the defendants.

Mr. Rohit Banerjee,Adv.

Mr. Jayanta Kumar Sanyal,Adv.

Mr. Shubhankar Chakraborty,Adv.

...Joint Receivers & Commissioner of Partition.

The Court: - GA No. 20 of 2024 is filed with prayers like cancellation of any documents that might have been found to be executed in respect of the suit properties situated in Koshi Kalan, District – Mathura, U.P.; order of

injunction along with other orders. I have also perused the affidavit filed by the local manager, Sushil Kr. Mahawar wherein all the properties are described and mentioned – all being situated at Koshi Kalan, District – Mathura, U.P. These properties may be described as follows:

- 1) *Property at Baldevganj, Building No. 1864, Koshi Kalan, District Mathura, Uttar Pradesh, Pin – 281403;*
- 2) *Property at Gopalbag, Koshi Kalan, District Mathura, Uttar Pradesh, Pin – 281403;*
- 3) *Property at Bagichi, Beside NH-2, Koshi Kalan, District Mathura, Uttar Pradesh, Pin – 281403 and*
- 4) *Property at Aryanagar, Maharshi Dayanand Marg Gali No. – 2, Koshi Kalan, District Mathura, Uttar Pradesh, Pin – 281403.*

The learned Joint Receivers in terms of the Report dated 20<sup>th</sup> March, 2024 expressed apprehension that the properties may be encroached upon, sold illegally and thus might slip out of the learned Joint Receivers. To prevent any transfer of title, the District Sub-Registrar, District – Mathura is directed not to register any document without prior permission of this Court in respect of the properties mentioned herein.

The Superintendent of Police, District – Mathura is to ensure that the properties are not encroached upon by any third party. Mr. Mahawar, local manager shall make an enquiry with the authorities mentioned herein in this regard.

Mr. Mahawar is also at liberty to lodge a complaint in the concerned police station as and when necessary in order to initiate actions against the trespassers, encroachers and illegal occupiers.

The Joint Receivers shall visit the place and shall file a further report as to the present status. A copy of this order may also be communicated by the learned Joint Receivers to the District Sub-Registrar, District - Mathura as well as to the Superintendent of Police, District – Mathura including the Municipal Authority, namely Nagarpalika for quick compliance.

The matter will appear in the list on 27<sup>th</sup> June, 2024.

(SUGATO MAJUMDAR, J.)