

APOT/17/2026
IA No.GA/1/2026

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

WOODLAND MANUFACTURERS LTD..

-VERSUS-

SANKAR PROSAD GARGA AND ANR.

BEFORE:

The Hon'ble JUSTICE DEBANGSU BASAK

-AND-

The Hon'ble JUSTICE MD. SHABBAR RASHIDI

Date: 31st March, 2026.

Appearance:

Mr. Rudradeb Chowdhury, Adv.

Mr. Shoham Sanyal, Adv.

Mr. Vishwrup Acharyya, Adv.

...for the appellant.

Mr. Javed K. Sanwarwala, Adv.

Mr. Sarosij Dasgupta, Adv.

Mr. Shariq Sanwarwala, Adv.

...for the respondent no.1.

Mr. Ratul Das, Adv.

Mr. Aurin Chakraborty, Adv.

Mr. Avijit Dey, Adv.

...for the intervenor applicant.

The Court :- Appeal is at the behest of the plaintiff in a suit and directed against order dated December 1, 2025.

During the pendency of the appeal, it was contended that despite decree passed by the High Court and Joint Receivers appointed, a portion of the immovable property concerned was not in possession of the Joint Receivers since such portion was being occupied by a third party.

Third party concerned and one of the Joint Receivers are represented.

It is submitted on behalf of the third party and the Joint Receivers that they entered into certain settlement.

Court is not concerned with the *inter se* settlement between the third party and one of the Joint Receivers. Breach, if any, of the settlement between them, may be looked into and considered by the appropriate forum.

It is submitted by the concerned third party that it made over possession of the portion of the concerned property to one of the Joint Receivers.

Learned Advocate appearing for one of such Joint Receivers submits that his client is ready and willing to make over possession of such portion of the property to the Joint Receivers appointed by the Court.

In view of such submission made, it would be appropriate that the Joint Receivers take actual physical possession of the property concerned forthwith.

Impugned order directed symbolic possession to be taken. Since actual physical possession is directed by us and since the same is the subsisting direction in the decree passed, the impugned order dated December 1, 2025 is set aside.

APOT/17/2026 along with connected application, if any, are disposed of.

(DEBANGSU BASAK, J.)

(MD. SHABBAR RASHIDI, J.)