

OD-3

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

IA NO. GA/91/2022  
In CS/343/1979

SUPERINTENDENCE COMPANY OF INDIA(P)LTD  
Vs  
WESTERN BUILDING CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE SUGATO MAJUMDAR

Date : 16<sup>th</sup> November, 2022.

Appearance:  
Mr. A. Mitra, Adv.  
Mr. D. Mitra, Adv.  
Mr. R. Bhattachayya, Adv.  
Mr. S. Paul, Adv.  
Ms. D. Mitra, Adv.  
Mr. D. Sengupta, Adv.

Mr. Rajdeep Bhattacharyya, Adv.  
Mr. S. Pal, Adv.

The Court : By typographical error, the words “AND ORS.” after “Western Building Corporation” were dropped in the cause title. Let the words ‘AND ORS.’ be incorporated in the cause title and the existing order dated 10<sup>th</sup> November, 2022 be rectified.

Similarly, by typographical error, certain mistakes cropped up in the order dated 10<sup>th</sup> November, 2022. Let these errors be rectified and corrected and a fresh order may be passed which is as follows:-

**“GA No.91 of 2022 :**

The Court : This application was filed on behalf of M/s. Shalimar Pellet Feeds Limited praying for leave to the Petitioner to intervene in the suit in terms of Order I Rule 8 of Code of Civil Procedure; appointment of a Special Officer to execute and register necessary deed of conveyance on behalf of Western Building Corporation as well as on behalf of M/s. Agarwal Udyog in favour of Shalimar

Pellet Feeds Limited having its registered office at 17B & C, Everest, 46C, Chowringhee Road, Kolkata - 700071 wherein M/s. Agarwal Udyog will be a confirming party along with other prayers including permission to cause publication of advertisement of sale in The Bengali Daily "Bartaman" and English Daily "Times of India" which are in circulation in the locality in respect of the demised premises mentioned therein, namely, Flat No.17B measuring about 700 square feet built up area situated on the 17<sup>th</sup> floor of the building named Everest at 46C, Chowringhee Road, Kolkata – 700071.

There is a prayer for appointment of a Special Officer to execute and register the deed of conveyance in this respect.

Mr. Rajdeep Bhattacharyya, learned Counsel appearing for the Defendant No.10 submitted that he has no objection in case the proposed sale by execution of the proposed deed of conveyance be carried out. Considered.

Let there be an advertisement as prayed for in terms of Prayer (d) to be published within four weeks. A draft notice is to be submitted before the Registrar, Original Side for vetting and confirmation within two weeks.

The cost of advertisement shall be borne by the Petitioner himself.

Leave is granted to the Defendant No.10 to file Vakalatnama and Competency before the Department.

As agreed by the parties herein, encroachment shall be removed by the Petitioner within 30<sup>th</sup> November, 2022.

Let the matter appear in the list on 14<sup>th</sup> December, 2022."

(SUGATO MAJUMDAR, J.)