



2022:CHC-OS:8296

OD-2 & 3

ORDER SHEET

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

IA No.GA/8/2023  
In  
CS/46/2016

GOURI SHANKAR SHAW ALIAS BARALAL SHAW ALIAS GOURI SHANKAR  
JA  
-VS-  
PANKAJ JAISWAL & ORS.

IA No.GA/9/2023  
In  
CS/46/2016

GOURI SHANKAR SHAW ALIAS BARALAL SHAW ALIAS GOURI SHANKAR  
JA  
-VS-  
PANKAJ JAISWAL & ORS.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : February 1, 2024.

Appearance:

Mr. Arindam Paul, Adv.  
... for the plaintiff

Mr. Chandrachur Biswas, Adv.  
... for the defendant no.14

Mr. Anirban Bose, Adv.  
Mr. Joydeep Dhar, Adv.  
... for the defendant no.8

Mr. Debdatta Sen, Adv.  
Mrs. S. Ghosh Chatterjee, Adv.  
Mrs. Ledia Dasgupta, Adv.  
... for the defendant nos.5, 6, 7, 9, 10(a), 10(b),  
11, 12, 13(a) and 13(b)

Mr. Rahul Kumar Saha, Adv.  
... for the Receiver



The Court: Mr. Arindam Paul, learned counsel, is appearing for the plaintiff. Mr. Chandrachur Biswas, learned counsel, is appearing for the defendant no.14 and Mrs. Ledia Dasgupta, learned counsel, is appearing for the defendant nos.5, 6, 7, 9, 10(a), 10(b), 11, 12, 13(a) and 13(b).

Counsel for the defendant no.8 has filed the exception to the report filed by the Receiver after serving the copy to the Receiver.

Counsel for the Receiver prays for a week time.

The plaintiff has filed an application being GA/9/2023 praying for an order of injunction restraining the trespassers in the premises being 58J and 58K, Amherst Street, Kolkata.

Counsel for the plaintiff as well as the defendants have submitted before this Court that construction is being carried out in the said premises in presence of the Receiver but the Receiver has not taken any steps to stop the illegal trespass and illegal construction of the building in the said premises.

Considering the submission made by the counsel for the respective parties, the Receiver is directed to submit the report positively within a week with regard to the status of the property situated at 58J and 58K Amherst Street, Kolkata to specify that whether any person has illegally occupied the premises or any construction is going on.

Let the matter appear on 9<sup>th</sup> February, 2024 under the heading 'Orders'.



It is made clear that if the Receiver fails to appear before this Court and to submit the report as directed above, appropriate orders will be passed.

(KRISHNA RAO, J.)

Sbghosh