

OD-23

IN THE HIGH COURT AT CALCUTTA  
Original Jurisdiction  
ORIGINAL SIDE

IA NO. CA/20/2014  
(Old No: CA/566/2014)  
In CP/316/1981

KOLAY BISCUIT CO. PVT.LTD. (IN LIQN.) -AND-  
Vs  
KOLAY PROPERTIES PVT LTD. -VS- O.L, H.C. CAL. & ORS.

BEFORE:  
THE HON'BLE JUSTICE SUGATO MAJUMDAR  
Date: 16<sup>th</sup> January, 2025.

*APPEARANCE:*  
*Mr. Indranil Nandi, Adv.*  
*...for the applicant*

*Mr. Rajiv Lal, Adv.*  
*Mrs. Debjani Mitra (Neogy), Adv.*  
*...for Official Liquidator*

The Court:- Affidavit of service filed by the applicant be kept in the record.

None appears for the respondent no. 2.

CA/566/2014 is filed by Kolay Properties Private Limited. The application is filed for demarcation of the leasehold land mentioned in the application. A direction in this regard is given to the Learned Official Liquidator to demarcate the same. Upon providing the same from surrounding land belonging to the applicant, a direction is given to respondent no. 2 to restrain their activities within leasehold land purchased by them from respondent no. 1 along with other prayers.

None is there to represent the respondent no. 2.

Affidavit of service shows that an application was served upon the respondent no. 2. However, the respondent no. 2 preferred not to appear and contest the same.

The factual aspects are not disputed by the Learned Official Liquidator. A report was filed by the Learned Official Liquidator earlier wherein it is stated that there are some difficulties. It was noted in the report that at the time of inspection, it was observed by the officials of the Office of the Learned Official Liquidator that some commercial firms are operating their business and some part of the properties are let out. Numbers of suits are pending. The Official Liquidator along with the Joint Receivers shall inspect the property in question and submit a report stating specifically as to whether demarcation is possible and how it can be made, if possible and suggesting measures soliciting passing of necessary orders and the report shall be submitted before this Court on or before the returnable date.

Let the matter appear in the list on 26<sup>th</sup> February, 2025.

(SUGATO MAJUMDAR, J.)