

ORDER SHEET

IA No. GA/12/2019 (Old No.GA/2522/2019)

In

CS/82/2017

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

SURJIDHAR MULLICK
Versus
GUNADHAR MULLICK & ORS

BEFORE:

The Hon'ble JUSTICE DEBANGSU BASAK

Date : 11th December, 2020.

(Via Video Conference)

Appearance:

Mr. Kaustav Chandra Das, Adv.

Mr. Souvik Sen, Adv.

Ms. Aditi Dutta, Adv.

Mr. Aritra Basu, Adv.

Mr. Lalratan Mondal, Adv.

The Court: The plaintiff, defendant No.1 and defendant No.2 are represented.

It is submitted on behalf of the plaintiff that, the learned Commissioner of Partition-cum-Special Officer is finding it inappropriate to divide the movables amongst the parties to this suit in view of him being appointed as Special Officer in respect of the movables by the order dated May 17, 2017 as he was never designated as the Commissioner of Partition for the movables.

This submission on behalf of the plaintiff is accepted by the defendant Nos. 1 and 2. It is further submitted on behalf of the defendants that, the movables

should be divided amongst the sons of Late Prajapati Mullick being the plaintiff and the defendant Nos. 1 and 2 to the exclusion of all other parties to the suit.

It appears from the affidavit of service filed in Court that, apart from the defendant nos. 1 and 2, no other party to the suit was served with this application.

In such circumstances, it would be appropriate to direct the plaintiff to serve a copy of the application upon the other defendants and file an affidavit of service to that effect on the next date.

List the application under the same heading on January 12, 2021.

(DEBANGSU BASAK, J.)

R.Bhar