

OD-2 & 3

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

IA NO. GA/1/2017 (Old No: GA/1300/2017)
In CS/82/2017
SURJIDHAR MULLICK
Vs
GUNADHAR MULLICK & ORS

IA NO. GA/13/2022
In CS/82/2017
SURJIDHAR MULLICK
Vs
GUNADHAR MULLICK & ORS

BEFORE:
The Hon'ble JUSTICE SUGATO MAJUMDAR
Date : 5th September, 2024.

Appearance:

*Mr. Souvik Sen, Adv.
Ms. Aditi Dutta, Adv.
... for the plaintiff*

*Mr. Lalratan Mondal, Adv.
... for the defendant no.2 (a) and 2(b)*

*Mr. Aritra Basu, Adv.
Mr. Abhik Chitta Kundu, Adv.
... for the defendant no.1*

*Mr. Rati Prosad Mookerjee, Adv.
..for the Commissioner of Partition*

*Mr. Pradip Kumar Ghosh, Adv.
..for Commissioner of Partition.*

The Court:-

IA NO. GA/1/2017 (Old No: GA/1300/2017)

This application is filed for appointment of a competent person as Special Officer or Receiver for making inventories for jewellerys, ornaments, precious stones along with other prayers.

It has already been done and this exercise has already been taken by Special Commissioner.

Learned Counsel for the parties submits that GA/1/2017 has become redundant. Accordingly, GA/1/2017 stands disposed of.

IA NO. GA/13/2022

It is submitted that two properties mentioned in the preliminary decree located at 6B, Clive Row, Kolkata- 700001 and 19J, Goa Bagan Street, Kolkata- 700006, are about to be sold by public auction in terms of Order dated 4th January, 2024. In case, these properties are sold, preliminary decree is to be modified accordingly, since these properties are included in the preliminary decree.

Considering the possibilities of further modification of the preliminary decree, GA/13/2022 is kept pending. The parties are at liberty to file appropriate application seeking further direction in case these properties could not be sold.

Learned Commissioner of Partition admits that he has already given remuneration of Rs.50,000/- which was fixed in terms of Order dated 4th January, 2024.

The plaintiff, defendant no.1 and defendant nos.2 and 2B forming one group shall pay such fees. The remuneration shall be paid within two weeks.

The suit will appear in the list on 28th November, 2024 with liberty to mention.

(SUGATO MAJUMDAR, J.)