

ORDER SHEET

IA No. GA/13/2022

In

CS/82/2017

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

SURJIDHAR MULLICK
-VS-
GUNADHAR MULLICK & ORS.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : January 9, 2023.

Appearance:

Mr. Kaustav Chandra Das, Adv.

Mr. Souvik Sen, Adv.

Ms. Aditi Dutta, Adv.

... for the plaintiff

Mr. L. R. Mondal, Adv.

... for the defendant no.1

Mr. Sakya Sen, Adv.

Mr. Aritra Basu, Adv.

Mr. Abhijit Sarkar, Adv.

Mr. Abhik Chitta Kundu, Adv.

Ms. Abhipiya Sarkar, Adv.

... for the defendant no.2

Mr. Deb Kumar Chandra, Adv.

... for the defendant no.3

Mr. Pradip Kumar Ghosh, Adv.

... Partition Commissioner.

The Court: The matter is listed today as “To Be Mentioned” for correction in the order dated 15th December, 2022.

Counsel for the respective parties submit that in the third line of the second paragraph at page 2 of order dated 15th December, 2022, the line “all the movable properties in presence of all the parties” is to be read as “rest of the movable properties upon notice to all the parties”. It has also

been submitted that in the second line of the fourth paragraph of the second page of the said order dated 15th December, 2022, the word “movable” is to be read as “immovable”.

Heard learned counsel for the respective parties.

The order dated 15th December, 2022 be corrected as follows:-

1. The second paragraph at page 2 of the order dated 15th December, 2022 be read as “In view of the submission made by the Counsel for the respective parties, learned Partition Commissioner is requested to make inventories of rest of the movable properties upon notice to all the parties and to submit the report before this Court within four weeks. The Partition Commissioner is requested to submit the report on 20th February, 2023.”
2. At page 2 in the second line of the fourth paragraph the word “movable” should be read as “immovable”

Learned Partition Commissioner is present in person and submits that there are some jewellery which have been kept in two iron-chest in which the learned Commissioner has put two separate padlocks but unfortunately, the keys of the said padlocks have been misplaced and the Partition Commissioner intends to open the said iron-chest by breaking open the said padlocks.

In view of the submission made by the learned Partition Commissioner, the Partition Commissioner is given liberty to fix a date and time upon notice to all the appearing parties to break open the padlocks in

presence of all the appearing parties and to put new padlocks after making inventories of the rest of the jewellery by keeping the keys with him.

Let this order be made part of the order dated 15th December, 2022.

Let the matter appear on 24th February, 2023.

(KRISHNA RAO, J.)

RS