

ORDER SHEET  
IN THE HIGH COURT AT CALCUTTA  
ORDINARY ORIGINAL CIVIL JURISDICTION  
CSOS/6/2024  
IA No. GA/3/2025, GA/4/2025  
KAMAL PODDAR AND ANR.  
VERSUS  
SHEO RATAN PODDAR AND ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 5<sup>th</sup> March, 2026

Appearance:  
Mr. A.C. Kar, Adv.  
Mr. Anirban Kar, Adv.  
Ms. Snigdha Das, Adv.  
For the plaintiffs.

Ms. Hasnuhana Chakraborty, Adv.  
Mr. Aniruddh Poddar, Adv.  
Mr. A Ray, Adv.  
For the defendant no.2.

Mr. Devansh Sonthalia, Adv.  
Mr. Anurag Bagaria, Adv.  
For the defendant nos. 1, 3 and 4.

The Court:- This originating summons suit is in connection with Bhagwan Devi Poddar Charity Trust (hereinafter referred to as the said Trust) having its registered office at 135, Biplabi Rash Behari Basu Road (formerly Canning Street), Kolkata-700 001. The registered office address of the trust is, however, disputed by the defendants.

The plaintiff no. 1 is admittedly a trustee. The plaintiff no.1 claims to be the managing trustee which is, however, disputed by the two other trustees being the defendant nos. 1 and 2. The plaintiff no.2 has been inducted as a trustee by the plaintiff no. 1 to remove the deadlock in the affairs of the trust as claimed.

The defendant nos. 1 and 2 are admittedly the other two trustees of the

said trust. The said defendants have inducted the defendant nos. 3, 4 and 5 as trustees as submitted to bring out the said trust from the clutches of the plaintiff no. 1. It is also the case of the defendant nos.1 and 2 that they have removed the plaintiff no.1 from being the Managing Trustee which is, however, again disputed by the plaintiff no.1. It appears that in the crossfire between the trustees, the object of the trust is not being carried out into true spirit and sense.

It also appears that the plaintiff no.1 has written to the Punjab National Bank (in short, PNB) Churu Branch, having its office at Station Road, Churu 331001, Rajasthan, for making the plaintiff no.2 a signatory to the bank account of the said trust maintained with the said bank.

It further appears that the defendant nos. 1 and 2 had informed the bank of having inducted the defendant nos. 3, 4 and 5 as trustees of the said trust.

In the aforesaid facts and circumstances, the bank account maintained with the said PNB, Churu Branch, cannot be operated. As a consequence whereof, no money can be spent for any charitable purpose to honour the object of the trust and wishes of the settlor.

Before passing any other order, it is necessary to ascertain the following facts from PNB, Churu Branch.

- 1) Who are the present signatories to the bank account or account so the said Trust, the particulars whereof are to be provided by the bank?
- 2) Whether the plaintiff no.1 and the defendant nos. 3, 4 and 5 have

been inducted as signatories to the said bank accounts?

- 3) Whether the bank account/accounts are active and operational?
- 4) What is the amount lying in the said bank account?
- 5) Is there any monthly deposit made in the said bank account by any third party on account of rent/occupational charges?
- 6) Whether the documents for "Know Your Customer" (KYC) have been submitted in respect of the said account, if so when and whose particulars are provided through "KYC"?
- 7) Whether the trust has any fixed deposit and/or any deposit of like nature in the name of the trust with the said Bank?

The Manager, PNB, Churu Branch, is directed to submit a report to the Registrar, Original Side of this Court in a sealed envelope by 31<sup>st</sup> March, 2026 so that the same can be placed before the Court by the Department on the next date.

The plaintiff no.1 and the defendant nos. 1 and 2 shall communicate this order to the concerned bank.

It is made clear that a copy of the report shall not be circulated amongst the parties without any specific direction from this Court.

This order will, however, not stand in the way if the plaintiffs and the defendants agree to and go for a mediation.

Let this matter appear in the monthly list of April, 2026.

(ARINDAM MUKHERJEE, J.)