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ORDER SHEET

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

IA NO:GA/1/2026
IN ACR/4/2019

NUMAZAR DORAB MEHTA AND ORS

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : 30th July, 2026.

Appearance:

Mr. Mainak Bose, Sr. Adv.
Ms. Khushi Gupta, Adv.
...For the Petitioners

Mr. Debargha Basu, Adv.
Mr. Rayomand Zaiwala, Adv.

Mr. Subit Majumdar, Adv.
Ms. S. Ganguly, Adv.

Mr. Rudraman Bhattacharya, Sr. Adv.
Mr. Akash Munshi, Adv.
Ms. Alotriya Mukherjee, Adv.

1. The Special referee appointed by this Court has submitted a report wherein he has published the notice inviting proposal with respect of the sale of the Freehold vacant land measuring 5 Cottah 12 Chittak 36 Sq. feet, i.e. 4,176 sq. feet part of premises No. 84, Lenin Sarani. The special referee has quoted the basic price of Rs.7,83,00,000/- (Seven Crore and Eighty Three Lakh only) and as per Clause III of the tender notice the proposer/interested bidder shall deposit the EMD by way of demand draft favouring 'Calcutta Zoroastrian Community's Religious and Charity Fund'. As per the report submitted by the special referee, one Rohra Developers Pvt. Ltd. has given his proposal to purchase the property at Rs.6,12,00,000/- (Six Crore and Twelve Lacs only) but the said firm has not deposited the EMD in terms of Clause III of the notice inviting proposal.

2. Learned Counsel for the petitioner submits that as the new proposal has come from the special referee with regard to Rs.6,12,00,000/-(Six Crores and Twelve Lacs only) and the proposed purchaser has not deposited the EMD in terms of Clause III accordingly the petitioner submits that this report will be placed before the general meeting of the trust which likely to be held in the first week of September, 2026 and he prays for fixing the matter after the first week of September, 2026.
3. Learned special referee appointed by this Court prays for release him as a special referee. This Court finds that the special referee has submitted the report and the report is required to be placed before the trust if the trust accepts the said report then the special referee has to take appropriate steps. Accordingly, at this stage this Court is not inclined to release the said special referee unless and until the trust is taking any decision with regard to the report filed by the special referee.
4. Let the matter appear on 18th September, 2026 under the heading 'For Orders'.
5. Petitioner is directed to file supplementary affidavit with regard to the report submitted by the special referee.

(KRISHNA RAO, J.)