

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).8717/2010

(From the judgement and order dated 16/03/2010 in CO No. 565/2010
of The HIGH COURT OF CALCUTTA)

TAPOSIDDHA ROY Petitioner(s)
VERSUS

INDIAN OVERSEAS BANK & ORS. Respondent(s)

(With appln. for exemption from filing c/c of the impugned Judgment
and prayer for interim relief)

Date: 13/05/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE C.K. PRASAD

For Petitioner(s) Mr.B.A. Khan, Sr.Adv.
Dr.Saif Mahmood, Adv.
Mr.Sumante De, Adv
Mrs Sudarshan Rajan, Adv.

For Respondent(s) Mr.Karan Khanna, Adv.
Mr. Ram Swarup Sharma, Adv.

UPON hearing counsel the Court made the following
O R D E R

Mr. B.A. Khan, learned senior counsel appearing
for the petitioner states on instructions from the
petitioner, who is present in court, that an amount of
Rs.1,23,50,000/- has been deposited with the first
respondent Bank. Learned counsel prays that the said
respondent may now be directed to return the original
title deeds of the residential property bearing No.5/6
Bali Ganj Place, Calcutta, to the petitioner.

Learned counsel appearing for the bank states that
though copies of bank drafts have been supplied to him
but as per his instructions the said amount is yet to be

..2/-

:2:
received in the bank. Learned counsel opposes the
prayer for release of the title deeds till full payment
in terms of the settlement arrived at is received by the
bank.

In view of the above, we direct that on payment
of the final instalment in terms of the settlement by the
petitioner with the respondent bank, the original title
deeds of the aforementioned property shall be released to
the petitioner within two days of the receipt of the
payment.

In the meanwhile, a photocopy of the title deeds
shall be supplied to the petitioner.

List the matter for further directions in the
month of August, 2010.

The amount of Rs.10 lakhs along with interest accrued thereon deposited in this Court shall be released to respondent No.1 through their counsel.

[Usha Bhardwaj]
Court Master

[Pushap Lata Bhardwaj]
Asstt.Registrar