

IN THE HIGH COURT AT CALCUTTA

Ordinary

DEC 1944



Calcutta Collectorate  
 No. 256  
 of 1451-52  
 Judication  
 Fee 5/- Paid  
 Under Section 31 Act  
 of 1894.  
 Rs. five only  
 Stamp Department

Dec. 37. Case No. 256 of 1451-52  
 Certified that the full stamp duty  
 chargeable on this instrument  
 under the Indian Stamp Act  
 commencing to No. 3, 3114/1  
 Refers that the amount of stamp duty  
 provided to be paid to Govt.  
 of India and submitted to Govt.  
 of Bengal under Section 31  
 of Act 1894.

Prayer of  
 Plaintiff

Calcutta Collectorate  
 No. 256 of 1451-52  
 Stamp Revenue  
 Submitted

Plaintiff residing at 1, Jangipara Road  
 Calcutta within the  
 jurisdiction of the Court

1. Plaintiff residing at 1, Jangipara Road  
 Calcutta within the jurisdiction of the Court  
 2. Defendant residing at Village Road  
 Agara, District Hooghly in the Province  
 of Bengal within the jurisdiction of the Court  
 3. Defendant residing at Village Road  
 Agara, District Hooghly in the Province  
 of Bengal within the jurisdiction of the Court  
 4. Defendant residing at Village Road  
 Agara, District Hooghly in the Province  
 of Bengal within the jurisdiction of the Court

7/10/52



majority residing at Vill. Kalyan  
Bhat. It is argued that the community of  
Hga + balle outside the defendants.  
jurisdiction.

Suit for a declaration that the joint  
family of the parties to this suit stood divided  
on account from Kastur Baidi fifteen hundred  
two thousand and three hundred  
to twenty four hundred of estate one thousand  
and hundred and forty six; alternatively  
for dissolution of the said joint family;  
for recovery of the joint properties of  
the parties; for partition; for accounts;  
the stipulations of a Revenue etc.

This cause coming on this day for  
final disposal before the Honorable Subordinate  
Judge at the Court in the presence of the advocate  
of the plaintiff and the parties, having  
regard to the terms of settlement set forth  
in the schedule hereto entered into  
dated 4<sup>th</sup> Dec. 1910 entered into the  
court of the parties by their respective  
advocates and attorneys that the  
said terms ought to be carried out  
and the same ordered and

—beheld



P. 1  
9/10/52

Statement of Assets and Liabilities

Witness, in Anticipation of his death, on 11/11/51, Chief Justice, at Calcutta, appointed a Trust for the benefit of his family in the year one thousand nine hundred and fifty one.

Muchamjeet Baswas. Accountants

J.K. Sanyal and P. B. Mitra } Accountants

P. B. Mitra } Accountant

R. C. Haysa } Accountant

S. R. Das Gupta

K. K. Mitra  
8/7/52  
Chartered Accountant

Schedule "A" referred to in the -  
reference made in suit No. 1400 of 1944  
and dated the 14th day of March 1951.

Terms of Settlement

1. It is declared that the joint Mitakeshvara family of the parties to this suit stood dissolved in 1915 and from that date the joint Mitakeshvara family pending with the B. Order 1946) and in such dissolution the parties to this suit separated themselves. The joint family properties in which shares were shared were, the defendant Bahadur Ram continuing to be joint with his son Jagan.

2. It is declared that the properties particular  
whereof are given in schedule A have been  
sold in the joint family property of the  
parties hereto

3. It is declared that the parties hereto and  
entitled to the share in the family properties  
particulars whereof are given in schedule A  
hereunder written and all the joint family  
members of the said joint family in the  
following shares:

- |                                   |           |
|-----------------------------------|-----------|
| 1. The Plaintiff Ramprasad.       | Rs. A. P. |
| 2. Defendant No. 1 Jankinamma     | 0 - 3 - 6 |
| 3. Defendant No. 2 Shyamprasad    | 0 - 4 - 0 |
| 4. Defendant No. 3 Babubandhu Ram | 0 - 3 - 6 |

for self and the parties of the  
joint family consisting of  
himself and his son

Jangamuni alias Jangaprasad, 0-5-0  
the whole being considered divided in  
16 annas on each and each anna  
being considered divided into 12 parts  
or parts.

The properties of the said parties are  
mentioned in Schedule B hereunder written  
and are allotted to the Plaintiff Ram-  
prasad and are aggregated valuation of  
Rs. 1,67,000/- to be held and enjoyed by him  
absolutely and in severalty.

The properties mentioned in schedule C  
hereunder written are hereby allotted to  
the defendant No. 1 Jankinamma at an aggregate  
valuation of Rs. 1,45,000/- to be held and  
enjoyed by him absolutely and in severalty.

The properties mentioned in schedule D  
hereunder written are hereby allotted to



Rs. 937

... defendant - No. 2 ... Rs. 1,75,000/- ... held by ...

The ... in ... E ... No. 3 ... acting for self ...

... aggregate valuation of ... Rs. 1,75,000/- ... to be held by him absolutely ...

8. That the plaintiff Ramkrishna ... the sum of Rs. 25,625/- ... the defendant - No. 1, ...

9. That the defendant - No. 2, ... pay to the defendant - No. 1, ... of Rs. 19,562-8-0 by way of ...

10. The defendant - No. 3 ... acknowledges to have received from the plaintiff ... Rs. 25,625/- ...

11. The defendant - No. 1, ... from the plaintiff Ramkrishna ... Rs. 19,562-8-0 ...

No 2, Shew Prasad the sum of Rs. 19,562-8-0 being the unutilized monies payable by the said plaintiff & respondents and refund of No 2 Shew Prasad respectively to the said defendants - No 1, furniture and heavy releases and for their discharges the said plaintiff has provided and the defendant - No 1, Shew Prasad from the said respondents sum of Rs. 937-8-0 and Rs. 19562-8-0.

12. That all movable properties, ornaments, furnishings, utensils and articles in hand have been mutually partitioned between the parties hereto and each has received his allotted share thereof and no party to this suit has any claim against the others or other of them in respect thereof.

13. That accounts in respect of the rents, expenses and profits of the joint family properties mentioned in schedule A have been written down, mutually settled and adjusted and each party has received his own share of such rents, issues and profits and no party has any claim against the others or other of them in respect of such rents, issues and profits.

14. That the parties mutually waive all claims for accounts against the defendant & claim in respect of the joint family properties mentioned in schedule A.



4th  
2nd

15. Property to usury

Schedule A' - Income tax - ALCOHOL

1. 4511, Wellingly Street.
2. 113/5A & 113/5B Hazra Road.
3. 7711, Sanku Street.
4. 17, Jurudini Road.
5. 3, Jurudini Road.
6. 14, Yanaprasad Choudhury Lane
7. 13, Yanaprasad Choudhury Lane
8. 16, Shamrangan Road, South Dum Dum

Properties to be classified as 'B'

Properties	Valuation	Total Valuation
17, <u>Jurudini Road.</u>	Rs. 141,000/-	
1A, <u>Yanaprasad Choudhury Lane</u>	" 26,000/-	Rs. 1,67,000/-
2. <u>entire and whole in the plan</u>	<u>classified</u>	
3. <u>entire and whole in the plan</u>	<u>classified</u>	

Schedule 'C'

Properties	Valuation	Total Valuation
18, <u>Wellingly Street</u>	Rs. 50,000/-	
113/5A & 113/5B Hazra Road,	" 75,000/-	
18, <u>Shamrangan Road (South Dum Dum),</u>	" 15,000/-	Rs. 1,40,000/-

Properties to be classified as 'C' - No. 2 Stamp - Properties - Valuation

Divided in Southern half portion of 7711, in the plan - classified as 'C' in the plan - in the plan - Rs. 1,25,000/-

Schedule B  
Attached to Affidavit No 2 Suburban

valuation

Rs 125000/-  
Rs 35000/-  
Rs 160000/-

Total valuation

Schedule E

Attached to Affidavit No 3 Bahadur Ram

valuation

Total valuation

Rs 160000/-  
Rs 15000/-  
Rs 175000/-

Proprietor  
Said Northern half portion of  
77/1 Park Street coloured yellow  
in the plan here annexed  
3 gate front road

K. L. Mitra  
8/7/52

I do hereby certify that this is a true copy  
of the original in my custody

Dated this 4th day of September 1952

M. Prabhakar  
For Registrar of the High Court  
at Calcutta Original State

10/9  
10/9