

300 Rs.



4

OFFICE OF THE CHIEF JUDGE: CITY CIVIL COURT
CALCUTTA.

Act 39 - 27/1/72

IN THE GOODS OF Jay Singh Nahar...Deceased.

And

Jyoti Kumar Nahar...Applicant



Chief Judge,
City Civil Court, Calcutta.

[Handwritten signature]

3.9.72

[Handwritten initials]
2/9

2087

Spokane - River Walker

5 - 3 - 1880

Walker

Spokane 77

for

20509 607

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OFFICE OF THE CHIEF JUDGE, CITY CIVIL COURT, CALCUTTA.

Act 39 - 271/77

IN THE GOODS OF Jay Singh Nahar...Deceased.

And

Jyoti Kumar Nahar...Applicant.



Shree

Chief Judge,
City Civil Court, Calcutta.

3.9.77

3/9

2087

Spencer & North

S. B. Jackson

Paris

~~2077~~

~~Paris~~



2087



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Date of application for the copy.	Date fixed for notifying the requisite number of stamps and folios.	Date of delivery of the requisite stamps and folios.	Date on which the copy was ready for delivery.	Date of making over the copy to the applicant.
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-2-

Calcutta-13 within the aforesaid jurisdiction;

5. Srimati Lilly Srimal, wife of Tapan Kumar Srimal, residing at 22B, Badridas Temple Street, Police Station Maniktolla, Calcutta-4, outside the aforesaid jurisdiction. O.Ps.

The humble petition of the Opposite Parties abovesaid, Most Respectfully Sheweth:-

1. That your Petitioner/Opposite Party No. 1 is the wife a petitioner Nos. 2, 3 and 5 are the daughters and petitioner/Opposite Party No. 4 is the second son of the deceased (page begins) deceased in whose Estate Jyoti Kumar Nahar, eldest son of the deceased has made an application for Succession Certificate before this learned Court.
2. That besides your petitioner/Opposite Parties abovesaid and Jyoti Kumar Nahar, the deceased left no other heirs, heirs and near relatives who have any right title or interest in the Estate of the deceased.
3. That your petitioner/Opposite Parties consider Jyoti Kumar Nahar is the fittest person to make the application for Succession Certificate and have full consent to the application made by him.

Under the circumstances your petitioners beg your Honour to be graciously pleased to grant the Succession Certificate in favour of Jyoti Kumar Nahar to dispose with the issue of notice and to pass such further order or orders as your Honour may deem fit and proper.

And.....

250



Date of application for the copy,	Date fixed for notifying the requisite number of stamps and folios.	Date of delivery of the requisite stamps and folios.	Date on which the copy was ready for delivery.	Date of making over the copy to the applicant.
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-3-

And for this act of kindness, your petitioners, as in duty bound shall ever pray. (page 4 bebinds)

Verification:-

We, Sriwati Meena Kumari Nahar, Sriwati Lalabati Duger, Sriwati Biva Sriwal, Biman Nahar and Sriwati Lilly Sriwal, the petitioners herein declare that the statements made in paragraphs Nos. 1 to 3 of the foregoing petition are true to my knowledge and the rests are our humble submissions before the learned Court.

We sign this Verification on this 28th. day of July, 1977 at the Court Premises at Calcutta.

Prepared in my office.

- Sd/- Sandhya Sinha. Advocate. Calcutta.
- Sd/- Meena Kumari Nahar.
- Sd/- Lalabati Duger.
- Sd/- Biva Sriwal.
- Sd/- Biman Nahar.
- Sd/- Lilly Sriwal.

Dated the 28th. day of July, 1977.

Typed by:-
B. Ghosh
 30.9.77.

ALIB & COPY



Handwritten signature and date: 20/9/77

Attention:
 ~~Director~~

copy to copy

copy to copy

copy to copy

copy to copy

3-90

ATTACHED TO BE A

Abubakar Bawa

Head Carpenter Clerk,
The Civil & Service Centre, Ghana

20.9.77

110

प्रतिनिधि के लिए अ
 तसिख
 Date of applicat
 the copy:



P-490/82.

JURY CIVIL COURT. III. 25 JUL. 1980. CALCUTTA.

Non-judicial stamp for R. 10/-

Deed No. AZ 5127 of 1961.

Copy under S/NO. 3989/3981 for 1980

Book 1 Vol. 141 Page 14-19 Being No. 5127 for 1961

Cartridge Paps. sheets 12 Copying ~~the~~ ordinary 7.35

Copy fee urgent 5.00. for map or plan. 60.00.

Court fee India D.D. S.A. Guha. 5.8.71.
 sd. Illegible :

High Court Original side 5 Aug. 1961

two annas 2 as.

Court fee India D.D. 9-8-61 D.A. Guha

sd. Illegible .

High Court Original side 5th August 1961.

Two rupees 2 Rs.

Adhesive under rule 21 duly stamped under the Indian

Stamp Act 1870 Schedule 1 Sec. 7 and also under the

Indian Stamp Act 1899 Schedule 1A No. 45

Fee paid as under :

A	170-
B	2
C	1
<u>M</u>	<u>173</u>

sd. S. Chatterjee.
 Registrar of Assurances, Calcutta
 12.10.61.

(Seal of the High Court at Calcutta.)

21

200



प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	स्वयम् और फोलियो की असेक्षित सख्या सूचित करने की तिथि Date fixed for notifying the requisite number of stamps and folios.	असेक्षित स्वयम् और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.
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2.

Calcutta Collectorate No. 161 of 1961-62 adjudication fees being paid under sec. 31 Act II of 1899 a.s. 5/- stamp Department.

Award Case Suit No. 68 of 1961 in the High Court, at Cal. Ordinary Original Jurisdiction. The President of the Union of India Sec. 32 Case no. 161 of ---

1061-62 certified that the full stamp duty chargeable on this instrument under the Indian Stamp Act amounting to re. 1 (one) only which has been paid and credited. to Govt. under challan No. 60 dated 20.7.61, Calcutta Collectorate the 20-7-1961 Bd. Illegible : 20.7.61 ~~XXXXXXXX~~ Collector of Stamp Revenue. In the matter of the Indian Arbitration Act of 1940 and in the matter of one Arbitration Agreement dt. the 20th day of July, 1960 between Jai Singh Wahar residing at no.5, Indian Mirror Street, Cal. plaintiff and Sm. Mina Sumari Wahar, Jyoti Sumar Wahar and Biman Sumar Wahar being a minor represented by his father Jai Singh Wahar all residing at no.5, Indian Mirror Street, Calcutta. Defendants (P. 3 begins) Whereas by an agreement dt. the twentieth day of July one thousand nine hundred and sixty entered into by and between the parties the matters in dispute and difference between them mentioned 33 /9/8/61 (2nd page) therein were referred to the Arbitration

Dr.

9/



868



प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	सत्य और फोलियो की अंशित संख्या सूचित करने की तिथि तारीख Date fixed for notifying the requisite number of stamps and folios.	अंशित सत्य और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.
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3.

wherein named who delivered his award in writing and dated the sixth day of December, One thousand nine hundred and sixty (which is hereto annexed marked A) and this case coming on this day for judgement upon the said award before the newcastle Prakash Chandra Mallick, one of the Judges of this Court in the presence of the advocate for Jay Singh Mahar (Srn. Mina Kumari Mahar Jyoti Kumar Mahar and Biman Kumar Mahar not appearing either in person or by advocate'. It is declared that the said award ought to be carried into effect and the same is ordered and decreed accordingly and it is further ordered and decreed that Joy Singh Mahar & Jyoti Kumar Mahar (P. 4 begins) and Biman Kumar Mahar do bear and pay the ~~tax~~ cost of the filling of the said award and of obtaining judgment thereon (to be taxed by the taxing Officer of this court) in proportion to the value of their respective shares witness Sri Purajit Chandra Ahiri Chief Justice at Calcutta aforesaid the twenty-ninth day of May in the year one thousand nine hundred and sixty-one. S. A. Guha, Attorney for P. C. Mullick, . S. Hazra for --
Registrar 22.7.61.

I do hereby certify that this is a true copy of the original in my custody dated this 9th day of August, 1961 .

J. Chatterjee for Registrar of the High Court at Calcutta --

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प्रतिनिधि के लिए आवेदन की तारीख Date of application for the copy.	स्वयम्प और फोलियो की अंगुष्ठित संख्या सूचित करने की तिथि Date fixed for notifying the requisite number of stamps and folios.	अंगुष्ठित स्वयम्प और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिनिधि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिनिधि देने की तारीख Date of making over the copy to the applicant.
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4.

Original side A D.L.W. Whattacharjee Sd. Illegible Sd. Illegible (3rd page) (Court fee stamp India Rs. 4 S.K. Guha 5.8.61 D.B. 5.8.61 Sd. not legible High Court Original Side 5th August, '61) (Court fee stamp India 4 Rs. Four rupees S.K. Guha 5.8.61 D. B. Sd. not legible High Court Original Side. 5 Aug. 1961.) Court fee stamp India 2 Rs. Two (P. 5 begins) annas S.K. Guha 5.8.61. D.B. Sd. not legible High Court Original Side 5 Aug. '61) Seal of the High Court at Calcutta) In the High Court at Calcutta Ordinary Original Jvil Jurisdiction In the Matter of the Arbitration Act 1940 (Act A of 1940) And In the Matter of an Arbitration Agreement dated the 20th day of July, 1960 Between Jai Singh Nahar Sm. Mina Kumari Nahar Jyoti Kumar Nahar And Bijan Kumar Nahar being a minor represented by his father Jai Singh Nahar all residing at no. 5, Indian Mirror St. Cal. and In the matter of an Award dated 6th Dec. 1960 Manick Lal Primal See. 32

Schedule A above referred to
In the annexed decree made in
Award case no. 68 of 1961 and
dt. the 29th day of May, 1961
S. Hazra for Registrar 22.7.61
Jal. Collectorate No. 365 of
1960-61 Adjudication fee being
paid under sec. 31 Act II of 1899

Case No. 365 of 1960-61 certified that the full stamp duty chargeable on this instrument under the Indian Stamp Act amounting to R. 1076-4-0 only which has paid & credited to Govt. under challan no. 103 dt.

285





प्रतिलिपि के लिए आवेदन की तारीख	स्थान और फोलियो की अयोग्यता संख्या सूचित करने की तिथि	अयोग्यता देने की तारीख	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी	आवेदक को प्रतिलिपि देने की तारीख
Date of application for the copy.	Date fixed for notifying the requisite number of stamps and folios.	Date of delivery of the requisite stamps and folios.	Date on which the copy was ready for delivery.	Date of making over the copy to the applicant.

Rs. 5/- stamp Deptt.

5.
dt. 5.4.61 Cal. Collectorate the
5.4.61 via
bd. Illegible 5.4.61. ~~XXXXXXXX~~
Collector of Stamp Revenue, this
(P. 6 begins)

Pr...

Award of the Manick Lal Primal of no. 22, Badridas Temple St. Calcutta made this 6th day of Dec. 1960 in connection with the dispute which had (84/9.8.62) arisen between Jal Singh Wahar son of late Bahadur Shing Wahar, S. Mina Kumari Wahar wife of the said Jalshing Wahar and Jyoti Kr. Wahar, Dhan Kr. Wahar both sons of the said Jal Singh Wahar the last named being minor represented by his father and natural guardian the said Jal Shing Wahar all of no. 5, Indian Mirror Street, Cal. whereas I had been appointed as sole Arbitrator pursuant to an agreement of reference dt. 20th July, 1960 between the aforesaid parties to decide and allot by lots of otherwise the joint family property no. 5, Indian Mirror St., Calcutta amongst the parties afore mentioned after determining the share of both of the said parties and the extent and nature of the right which belong to Sm. Minakumari Wahar afore mentioned and Kumari Lily ((P. 7 begins) Wahar unmarried daughter of the said Jal Singh Wahar I, the Arbitrator look upon myself the burden of the said reference and valued the premises no. 5, Indian Mirror St. Calcutta through

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dfo



प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	स्वाम्य और फोलियो की अर्पणित संख्या सूचित करने की तिथि तारीख Date fixed for notifying the requisite number of stamps and folios.	अर्पणित स्वाम्य और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.
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through Sri Dired Arishna Banerjee a competent surveyor and I have according to the valuation of the said surveyor valued lot 3 shown in the map of plan annexed hereto at R. 41,121-50 n.P. and valued lot A shown in the said map consisting of the main residential buildings at R. 130497.00 and whereas the said Jai Singh Nahar Jyoti Kumar Nahar and Diman Kumar Nahar on each entitled to a one third share in the said property after providing for the maintenance of Sm. Mina Kumari Nahar and the marriage expenses of Kumari Lily Nahar the married daughter of the said Jai Singh Nahar and whereas in a meeting of the parties held on the 4th day of October, 1960 the said (P. 3 begins Jyoti Kumar Nahar has agreed to accept lot B which is mostly a vacant plot of land and his exclusive share in the said property and Jai Singh Nahar for self and on behalf of Diman Kumar Nahar has (5th page) agreed to accept lot A therein of their exclusive share and has agreed to make their allotment with the maintenance of Sm. Mina Kumari Nahar and Kumari Lily Nahar aforesaid as also for the marriage expenses of Kumari Lily Nahar and whereas it appears to me that the settlement arrived at with the presence of all the parties including that of Sm. Mina Kumari Nahar is fair and equitable and to the benefit of the minor party Diman Kumar Nahar. I do hereby make my award as stated below : - (a) I find an award that Jai Singh Nahar Jyoti

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प्रतिनिधि के लिए आवेदन की तारीख Date of application for the copy.	स्वाम्य और फोलियो की अपेक्षित संख्या सूचित करने की तिथि तारीख Date fixed for notifying the requisite number of stamps and folios.	अपेक्षित स्वाम्य और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिनिधि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिनिधि देने की तारीख Date of making over the copy to the applicant.
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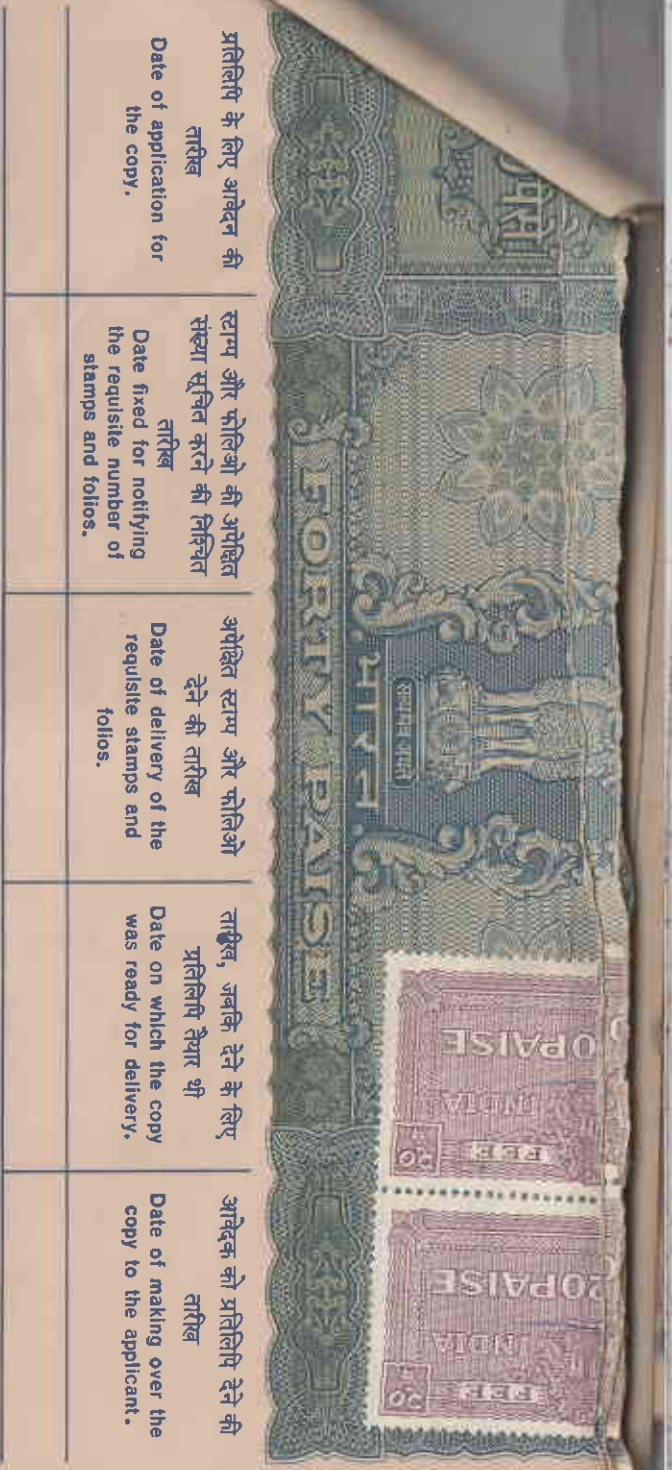
7.

Jyoti Kumar Wahar and Biman Kumar Wahar are both entitled to one third share in the said joint family property (b) I find an award that sm. Minakumari Wahar is entitled (P. 9 begins) to maintenance out of the said joint family property (c) I find an award that Kumari Lilly Wahar is entitled to education and marriage expenses out of the said joint family property (d) I do hereby award lot B delineated in map or plan annexed hereto in red colour to Jyoti Kumar Wahar as his sole and absolute share free and discharged from maintenance of sm. Minakumari Wahar and likewise free and discharged for the maintenance residence marriage and/or education expenses of Kumari Lilly Wahar (e) I do hereby award lot A shown in map or plan annexed hereto and delineated in yellow colour jointly to Jai Shing Wahar and Biman Kumar Wahar at their absolute property subject to the maintenance and education and marriage expenses of the said Mina Kumari Wahar and Lilly Wahar respectively ; (f) I further award that sm. Mina Kumari Wahar will be paid during life time an annuity of the sum of Rs. 1200/- per annum for her (6th page) maintenance and (P. 10 begins) Kumari Lilly Wahar will be paid an annuity of the sum of R. 1200/- per annum of her maintenance and education until her marriage ; (g) I find an award that Kumari Lilly Wahar will be entitled to a

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प्रतिनिधि के लिए आवेदन की तारीख Date of application for the copy.	स्वाम्य और फोलियो की अर्पणित संख्या सूचित करने की तिथि Date fixed for notifying the requisite number of stamps and folios.	अर्पणित स्वाम्य और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिनिधि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिनिधि देने की तारीख Date of making over the copy to the applicant.
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8.

to a sum of R. 10000/- towards her marriage expenses (h) I find an award that Sm. Mina Kumari Nahar for life and Kumari Litty Nahar untill her marriage have the right of residence in the main residential building included in the said lot 'A' of the plan or plan annexed dt. this 6th day of December, 1960 Manick Lal Primal Arbitrator notice to be taken out and moved by Jyoti Kumar Nahar returnable before the court taking all arbitration matters (excluding commercial matters) M. N. Ganguli, Deputy Registrar C. S. High Court, Cal. 19.4.61. D. S. Pal. I do hereby certify that this is a true copy of the original in my custody dated this 9th day of August, 1961 (P. 11 begins). D. Bhattacharjee for registrar of the High Court at Calcutta Original side and V. W. Bhattacharjee. Bd. Not Legible.

Signed by the Judge
28.7.61
S. K. B.

Award Case Suit No. 68 of 1961
In the High Court at Calcutta Ordinary Original Jurisdiction.

In the matter of the Indian Arbitration Act of 1940 And in the matter of an Arbitration Agreement dt. the 20th day of July, 1960 between Jai Singh Nahar -versus - Sm. Mina Kumari Nahar & others. Decree of 29th day of May, 1961 filed this 5th day of August, 1961 Assst. Registrar. S. K. Gupta, Attorney.

Presented for registration at 12.10 p.m. at the Calcutta registration office on the 12th day of October, 1961 by Jyoti Kumar Nahar one of the defendant s.
sd. Jyoti Kumar Nahar.

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प्रतिनिधि के लिए आवेदन की तारीख Date of application for the copy.	स्वाम्य और फोलियो की अर्पणित संख्या सूचित करने की तिथि Date fixed for notifying the requisite number of stamps and folios.	अर्पणित स्वाम्य और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिनिधि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिनिधि देने की तारीख Date of making over the copy to the applicant.
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9.

Sd. S. Chatterjee, Registrar of Assurances, Calcutta.
12.10.61.

Admitted to registration.
Sd. S. Chatterjee,
Registrar of Assurances, Cal.
12.10.61.

Registered in book No. 1 Volume No. 141 Pages 14 to 19
being No. 5127 for the year 1961.
The seal of the Registrar of Calcutta.

Sd. S. Chatterjee,
Registrar of Assurances, Calcutta.
25.10.61

True copy.
Sd. S. Chatterjee,
Registrar of Assurances, Cal.
25.10.61.

Copied by : Haripada Sakkari. 25.10.61.
read by : Amar Nath Upadhyaya. 25.10.61.
Compared by : Provat Ar. Banerjee, 25.10.61.
Copied & ready by : Dwipendra Chakraborty. 15.7.80.
Compared by :- Siddesh Dev. 15.7.80.

THE SEAL OF THE HIGH COURT CALCUTTA.
Sd. S. Banerjee,
The Sub-Registrar of Assurances, Calcutta.

IN THE JUDICIAL COURT, CALCUTTA.
Subject suit no. 312 of 1977.
Filed on 25.7.80.
Produced by defendant.
Exhibit No. 1B.
Sd. S. S. Ganguli, Judge, Bench III.
8.8.70.

Typed by
A. R. Das
13.8.80

his life time and at the time of his death, a Jain Sewel for

240 28

Debra Turner
Cherry St
 Paid postage (Mrs. Turner) 1/2
 The Civil & Social Service
 100 N. 1st St. N. W. Wash. D. C.

UNITED STATES POST OFFICE
 WASHINGTON, D. C.
 TO: Mrs. Turner
 Cherry St.
 Wash. D. C.



RECEIVED
 CIVIL SERVICE COMMISSION
 WASHINGTON, D. C.
 1/14/80
 W



Date of application for the copy.	Date fixed for paying the requisite number of stamps and folios.	Date on which the copy was ready for delivery.	Date of making over the copy to the applicant.
	 	30/9/77	6/10/77

P/40773/77.

CITY CIVIL COURT.

28 JUL 1977.

CAICUTTA.

Sd/- Jyoti Kumer Nahar.
Filed by:-
Sd/- Bhr Kumer Kothary, Adv.

IN THE CITY CIVIL COURT AT CAICUTTA.

Before the learned Chief Judge.

Act XXXIX Case No. 271 of 1977.

In the Goods of:-

Jay Singh Nahar, e Jain Oswal, inhabitant deceased residing at SB, Indian Mirror street, Police station Talolla, Calcutta-13, within the aforesaid jurisdiction.

AND

IN THE MATTER OF:-

An Application under Part X of the Indian Succession Act, be No. XXXIX of 1925 as amended by Act XVIII of 1929.

AND

IN THE MATTER OF:-

JYOTI KUMAR NAHAR, son of the deceased, residing at SB, Indian Mirror street, Police station Talolla, Calcutta-13, within aforesaid jurisdiction. .. Petitioner

(page 2 begins)
The humble petition on behalf of the Petitioner aforesaid

Most Respectfully she weeth:-

1. That the deceased abovenamed Jay Singh Nahar, was during his life time and at the time of his death, a Jain Oswal governed by the Hindu Mitaskera Law residing at SB, Indian Mirror street, Police station Talolla, Calcutta-13 within the jurisdiction of this honourable Court, died on 12th. February, 1977.

200





Date of application for the copy.	Date fixed for notifying the requisite number of stamps and folios.	Date of delivery of the requisite stamps and folios.	Date on which the copy was ready for delivery.	Date of making over the copy to the applicant.
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1974 leading Assets and credits within the jurisdiction of this Court and also outside the jurisdiction of this honourable Court.

2. That the deceased abovenamed left behind him the following persons as his legal heirs and heiresses.

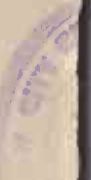
(1) Srimati Menka Kumari Nahar, wife of the deceased aged about 67 years, residing at 5B, Indian Mirror Street, Calcutta 13, within the aforesaid jurisdiction by faith Jain Oswal and by occupation Grehasthali.

(11) Srimati Ilhabati Juger, wife of Sri Jadu Path Singh Juger, daughter of the deceased, aged about 47 years residing at 84B, Shambhu Nath Pandit Street, Police Station Bhowanipura Calcutta-20, outside the aforesaid jurisdiction (page 3 beginning jurisdiction, by faith Jain Oswal and by occupation Grehasthali),
(111) Srimati Rive Srimal, wife of late Manicklal Srimal, daughter of the deceased, aged about 45 years, residing at 2 Bedrides Temple Street, Police Station Manicktolla, Calcutta outside the aforesaid jurisdiction, by faith Jain Oswal and occupation Grihasthali.

1v) Jyoti Kumar Nahar, son of the deceased (petitioner) aged about 40 years, residing at 5B, Indian Mirror Street, Calcutta-13, Police Station Talolla, within the aforesaid jurisdiction by faith Jain Oswal and by occupation business.

v) Biman Nahar, son of the deceased, aged about 23 years residing at 5B, Indian Mirror Street, Police Station Talolla

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Date of application for the copy,	Date fixed for notifying the requisite number of stamps and folios.	Date of delivery of the requisite stamps and folios.	Date on which the copy was ready for delivery.	Date of making over the copy to the applicant.
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Tal tola, Calcutta-13, within the aforesaid jurisdiction, by
faith Jain Oswal and by occupation business.

vi) Srimati Lily Srimal, wife of Sri Tapan Kumar Srimal, daughter of the deceased, aged about 27 years, residing at 22B, Badrises Temple Street, Police Station Manicktola, Calcutta-4 by faith of Jain Oswal, and by occupation Grihasthali. (page 4 begins)

3. That besides the persons abovenamed, the deceased left no other heirs, nephews or near relations who have any right title or interest in the estate of the deceased.

4. That the particulars of Debts and securities in respect of which Succession Certificate is prayed for are set out in the schedule "A" annexed hereto.

5. That the Original Estate Duty clearance Certificate is filed herewith and will be treated as a part of this petition.

6. That no Probate or Letter of Administration or Succession Certificate has been granted in respect of the estate of the deceased abovenamed and besides the present application there was and/or is no other ~~application~~ application either for grant of Probate or Letter of Administration or Succession Certificate in any Court. The deceased did not make any will.

7. That there is no impediment under section 370 and under section 371 of the Indian Succession Act or any other enactment to the grant of the said certificate as to the validity thereof which precludes the applicant from applying for Certificate

271-



Date of application for the copy.	Date fixed for notifying the requisite number of stamps and folios.	Date of delivery of the requisite stamps and folios.	Date on which the copy was ready for delivery.	Date of making over the copy to the applicant.
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In respect of Debts and Credits mentioned as the schedule "A" hereto. (page 5 begins)

8. That the Petitioners being the eldest son of the deceased is fit and proper person to be entitled to grant a Certificate.
9. That the Applicant is now desirous of obtaining a grant of the Succession Certificate under Part X of the Act of 1925 as amended by Act XVIII of 1929 in the goods to enable him to collect and realise the assets mentioned in the Schedule "A" hereto with interest, Divident if any thereon and deal with the same.

Your petitioner, therefore, humbly prays for an order that a Succession Certificate in respect of the Estate of the Deceased abovenamed consisting of the Debts and Credits mentioned in the schedule "A" hereto be granted to the petitioner authorising him to collect the Assets mentioned in the schedule "A" hereto with interest etc. and to deal with the same.

And your Petitioner, as in duty bound, shall ever pray. (page 6 begins)
SCHEDULE "A" ABOVE REFERRED TO

Movable si:-

1. Zamindary Compensation Camp Kallaganj Rs. 23,821.00.
 Roll No. 429 dated 25.11.65.

Immoveable si:-

1. 2 Share of the Dwelling house
 at SB, Indian Mirror Street, Cal-13. Rs. 23,821.00.
 (Rupees Twenty three thousand and eight hundred and twenty one only).

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Date of application for the copy.	Date fixed for notifying the requisite number of stamps and folios.	Date of delivery of the requisite stamps and folios.	Date on which the copy was ready for delivery.	Date of making over the copy to the applicant.
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-5-

Affidavit:-

I, Jyoti Kumar Nehar, son of Jay Singh Nehar, since deceased aged about 40 years, by faith Jain Oswal, by occupation business, residing at 5B, Indian Mirror Street, Police Station Taltole, within the aforesaid jurisdiction do hereby solemnly affirm and say as follows:-

1. That I am the petitioner herein and fully aware of the facts and circumstances of the case.

This is true to my knowledge.

2. That the statements made in the paragraphs Nos. 1 to 9 including the schedule of debts and assets are true to my knowledge and the rest are my humble submission before this learned Court.

This is true to my knowledge.

Prepared in my Office and identified by me.

Sd/-Jyoti Kumar Nehar.
Deponent.

Sd/-Bir Kumar Kothari.
Advocate.

Calcutta.
Dated 28th day of July, 1977.

Solemnly affirmed at the Office of the City Civil Court Calcutta this 28th day of July 1977 at 11-50 A.M. before me.

The declarant is identified by Shri

B.K.Khothari, Adv. who is known to me.

Sd/-Asoka Ranthi Ray.
Court's signor of Affidavit.

Typed by:-
A. Chowdhury.



Information...



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Application...

Fee fee

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P- 69299/82.1-

In the City Civil Court at Calcutta. :-
Before the Learned Judge. III Bench.
CJ. Sult No. 312 of 1977. :-

1. Sm. Meena Kumari Mahar. widow of late Jai Singh Mahar.
2. Jyoti Kumar Mahar, 3. Paman Kumar Mahar, - Plff. No. 2 & 3, being sons of late Jai Singh Mahar. Plaintiffs Nos. 1, 2, and 3 - residing at No. 5/B, Indian Mirror Street, Calcutta.
4. gm. Lilabati Dugar, wife of Sri Jadupat Singh Dugar of 84-B, Shanbhu Math Pandit Street, Calcutta. :-
5. gm. Biva Srimal, widow of late Manik Lal Srimal, of 22B, - Badridas Temple Street, Calcutta. :-
(The fact of the death of the Plaintiff No. 5 is recorded, vide - Order No. 59 dt. 26.5.80).
6. Sm. Lily Srimal, wife of Sri Tapan Srimal of 22-B, Badridas - Temple street, Calcutta. Plaintiffs.
Versus :-
1. Shiv Nath Sharma, son of late Ram Chand Sharma, residing at 5, Indian Mirror Street, commonly known as 5/B, Indian Mirror Str Calcutta-700013, .
2. Sm. Gurjit Kaur, widow of Karnal Singh Garawal.
3. Sri Jagmohan Singh Garawal son of late Karnal Singh Garawal Garawal.

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- 2 -

4. Sm. Nita Garawal. daughter of late Karnail Singh Garawal, -
All of Anamika Apartments, 33, Tr. Rajendra Road, Calcutta-20,
outside the jurisdiction of the court. (Amended vide order No.
54 dt. 26.3.51.)

..... Defendants.:-

Suit for recovery of possession of a portion of the premises
nos No.5/B, Indian Mirror street, (Commonly known as 5, Indian
Mirror street, Calcutta, Police station -Taltolla. :-
suit valued at Rs.324/-.

The Plaintiffs state as follows :-

1. The defendant No.1. was a monthly tenant under late Jai Singh Bahar in respect of a portion of the ground floor and the second floor of the premises No.5B, Indian Mirror street, in the town of Calcutta within the jurisdiction of this court under Taltolla Police station, at a monthly rent of Rs.270/- according to English calendar month. The said premises is fully described in the schedule hereinafter:-

2. The said Jai Singh Bahar died on 12.2.74, leaving the plaintiffs as his heirs and legal representatives the plaintiff No.1. being the widow, the plffs. No.2. and 3, being sons and the plffs. Nos. 4,5, and 6 being the daughters. After the death of the said Jai Singh Bahar, the defendant, became a monthly tenant -

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tenant under the Plaintiffs as the heirs of the deceased landlord; and paid rent to them from February. 1974, to July, 1975, on bills issued by the plaintiffs in the name of the said Jai Singh Nahar duly collected by the Plaintiffs No. 2 &

3. The defendant No.1. tenancy was determined by a notice to quit dt. the 2nd. of Jan. 1977, issued for and on behalf of the Plaintiffs by the lawyer and duly served upon the defendant No.1. requesting him to quit, vacate and make over vacant and peaceful possession of the suit premises on the expiry of the last day of February. 1977, and he was further intimated by the said notice that in default of his compliance (Page 3 begins) with the said notice, a suit for his eviction would be filed, but the defendant No.1. has wrongfully failed to vacate and is still in possession. The carbon copy of the said notice with postal registration receipt and postal acknowledgment is filed with the Plaintiff.

4. The Plaintiffs seek to recover possession of the said premises 1.9. the portion of the ground floor and the second floor of the premises No.5/B, Indian Mirror Street, Calcutta fully described in the schedule hereunder written on the grounds (1) that the defendant No.1. is a defaulter in payment of rent from Aug. 1975

Amended V.O.
No.54 dt. 26.3,
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- 4 -

AUG. 1975. (11) that the plaintiffs reasonably require the premises for their own use and occupation. The Plaintiffs Nos. 2, and 3, are carrying on a business of manufacturing furniture etc. - and urgently require the ground floor portion of the defendant - No. 1, tenancy for their business. The Plaintiff Nos. 1, 2, and 3, live in the first floor on the premises; but the accommodation is not sufficient for their requirements, nor can, the other - Plaintiffs when they come to the premises, be accommodated in the said portion. The Plaintiffs' family consists of the Plaintiff No. 1, the Plaintiffs. 2 and his wife and two children who were school going, the Plaintiff No. 3, who could not be given in marriage, due to scarcity of space, the Plaintiff No. 4. has her husband and one son and two daughters, one of them is married, the Plaintiff No. 5. is a widow and the Plaintiff No. 5. has her husband. The accommodation in the first floor of the premises consists of two bedrooms, one hall used as a combined drawing and (Page 4 begins) and dining room, two box rooms attached to each bedroom as aforesaid, one kitchen and two storerooms. The last three being in an asbestos shed besides bathrooms, and privy. The said accommodation is insufficient for the Plaintiff Nos. 1, 2, and 3 in view of the fact that there are only two bedrooms, the

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- 5 -

rooms, the Plaintiff No.1. has got no room for her exclusive use nor is there any study room for the children. The Plaintiffs 4 and 6 live with their respective husband in tenanted accommodation and the Plaintiff No.5. lives with the defendant No.6 and her husband as their licensee. None of the Plaintiffs have got any other accommodation of their own which can be called reasonable and suitable. (111). that the said premises was let out to the defendant for exclusive use it only for the purpose of residence but the defendant No.1. is using a portion of it for commercial purpose and/or for business purpose as such he is using the said premises for the purpose other than for which it was let out.

4(a). Karnail Singh Garawal since deceased was a sub-tenant under defdt. No.1. the said Karnail Singh Garawal served notice under sec.16(2) W.R.P.T. Act, 1956. the said Karnail Singh Garawal. died on 2.11.78 having behind him defendants 1, 2, 3 & 4, as his heir and legal representative (Amended vide order No.54 dt. 26.8.81.). (Page 5 begins).

Schedule 1:-

A. A portion in the ground floor at premises No.57B, in an Mirror Street in the town of Calcutta within the

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- 6 -

with the police station Taltoila butted and bounded :-
On the north by :- Premises No.55 & 56, Lenin Sarani, Previous-ly 55, and 56, Tharmatolla street.
On the east by :- a corporation Lane, Commonly known as Indian Mirror street. :-
On the south :-Partly by open space of the building and partly - by stair case of the building.
On the west :- Partly by 5, Indian Mirror Street, partly by - spiral stair case of the building and partly by common by passage leading to the spiral stair- case of the building.
B. Second floor of premises No.5B, Indian Mirror street, in - the town of Calcutta, butted and bounded :-
On the north by :- back space of the building.
On the east by :- Corporation Lane, commonly known as Indian- Mirror street. :- (Page 6 begins).
B. On the south :- Partly by open space of the building and partly by landing space and stair case of the building;
On the west :- By partly by the spiral staircase of - building, partly by 5, Indian Mirror str

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- 7 -

Indian Mirror street, and partly by building space and stair case of the building.

The Plaintiffs pray for a decree :-
 (1). for khas and vacant possession of the suit premises as fully described in the schedule of the Plaint;
 (11). for costs including Advocate's fees;
 (111). for such other relief or reliefs as the Ld. court deem fit and proper.

Verification:-

I, Jyoti Kumar Nahar, the Plaintiff No.2. above named do hereby declare that the statements made in paragraphs 1 to 5, and the cause title and schedule of the plaint are true to my knowledge and those contained in paragraph 6 and the rest are my submission to this court and I sign this verification on this the 30th. day of March, 1977, at court premises.
 Prepared in my office. 30/- Illegible. Advocate. -

30/- Jyoti Kumar Nahar.

30/- Meera Kumari Nahar. 30/- Biman Kumar Nahar.

30/- Lila Rati Tugar. Filed by 30/- Biva Gimal.

30/- Illegible. Advocate. 30/- Lila Gimal.

Typed by:- N 21/12/77

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POST OFFICE GENERAL
CALCUTTA

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- 21 -

by affidavit prayer for keeping the documents under safe custody of this court on the ground stated therein. Copies served Perused the application and record.

The Prayer is allowed. Let the documents be kept in the safe custody of the court with the Incharge of document safe-keeping of the Plaintiffs lawyer on documents box.

Plaintiff to take necessary step for sealing the documents box at once. :-

Sd/-S.Ganguly. Judge. :-

Or. 59 dt. 26.5.80.1-

Plaintiffs Nos. 1- 4 and 6 by a petition state that plff. No.5, has ~~said~~ ^{died} on 21.5.80 who was a childless widow and pray that the fact of the death of Plaintiff No. 5 be recorded and the suit be continued. Copy served. Heard. Considered. Let the facts be recorded. Amend the Plaint and register accordingly. Defendant by a petition ~~praying~~ ^{praying} dated 23.5.80 prays for adjournment of hearing on the grounds stated therein. Hd.
Ld. Advocate. Adjd. to 17.6.80 for Peremptory hearing.

(Dictated). Sd/- S.Ganguly. Judge. :-

Or. 60 dt. 29.5.80.1-
On the ~~prayer~~ ^{prayer} of the Plffs. by an application, issue summons upon their witnesses as per list on 1 & 4 at their own risk and on 2 & 3, through court.
Or. 61 dt. Sd/- S.Ganguly. Judge. :-

Nov 11

Hand Counting Case

Case No. 100 of the 1st Div. 30.9.22



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