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64-12-2011

HIGH COURT OF WEST BENGAL  
11 AUG 2011  
CALCUTTA

975

CA No. 1836 of 2011

CS No. 1970 of 1933

IN THE HIGH COURT AT CALCUTTA

Ordinary Original Civil Jurisdiction

Original Side

BEFORE :

The Hon'ble JUSTICE SANJIB BANERJEE

Date : 5th July, 2011.

IN THE MATTER OF : ALOK PAL & ANR.

Appearance :

Mr. Roibat Banerji, Adv.  
Ms. Amrita Sinha, Adv.

The Court ; Pursuant to an earlier direction an advertisement has been published in 'The Statesman' newspaper though no advertisement has been published in the 'Bartaman' newspaper.

Some of the parties are represented and they have no objection to the orders that have been sought.

The application is for confirmation of the sale of an immovable property at 5/1, Nirod Behari Mallick Road. The applicants claim to be the two largest shareholders of the joint properties and say that a meeting had been held by the commissioner of partition on June 8, 2011 for which all the parties had been given notice and whereat all appearing parties agreed to the offer of Rs. 7.25 lakh per cottah for the 61-cottah property which is completely occupied. The applicants say that the property had been valued at Rs. 4.5 lakh per cottah in 2009.

The sale of the property at 5/1, Nirod Behari Mallick Road measuring approximately 61 cottah property which is completely occupied. The applicants say that the property had been valued at Rs. 4.5 lakh per cottah in 2009.

The sale of the property at 5/1, Nirod Behari Mallick Road measuring approximately 61 cottah is confirmed in favour of the nine companies indicated in paragraph 7 of the petition jointly at a



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consideration of Rs. 7.25 lakh per cottah. The commissioner will have the land surveyed and measured and receive the total payment, less the advance which has already been received.

The commissioner will thereafter retain 6000 GM by way of his final remuneration and disburse the balance in accordance with the shares of the parties as would appear from the commissioner's final report.

The commissioner will call a meeting of the parties to inform them of this order and a subsequent meeting of the parties to make over the disbursements to the parties and also inform them that the suit would be disposed of when the commissioner files a report relating to the conclusion of the sale pursuant to this order.

Let the matter appear six weeks hence for the suit and the application to be finally disposed of.

Urgent certified photocopies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

Sanjib Banerjee  
( SANJIB BANERJEE, J. )

I do hereby certify that this is a true copy of the Original in my Custody.  
Dated this 12th day of July 20 11.

*Kumar Rajendra*  
for Registrar of the High Court at  
Bhubaneswar, Original Side.

dkm.



*Sanjib Banerjee*

GA No. 1836 of 2011

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- i) Date when the Decree or order was completed 12.7.11
- ii) Date of application for copy. 10.5.11
- iii) Date of receipt of copy. 11.5.11
- iv) Date of payment of fee. 11.5.11
- v) Date when the copy was issued to the applicant. 12.3.11
- vi) Date when the copy was taken to the copy by the applicant. 12.5.11

IN THE MATTER OF : ALOK PAL & ANR.

*Alok Pal*  
12/8/11  
Superintendent  
Copyists' Department  
High Court, O.S.

Order passed by the Hon'ble  
Justice Sanjib Banerjee on  
5.7.2011

Filed on 12th day of July, 2011.

Prenav Sharma  
Advocate.



*Jail Kumar Son*