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IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(VIA VEDIO CONFERENCE)

I.A. No. G.A. No. 25 of 2020
Old No. G.A. No. 1097 of 2020
C.S. No. 148 of 2002

SMT. NARAYANI DEBI DHANANIA @ AGARWAL & ORS.
Versus
SAWAR DHANANIA AND ORS.

BEFORE:
The Hon'ble JUSTICE SHEKHAR B. SARAF
Date : 4th September, 2020

Appearance:
Mr. Abhirup Chakraborty, Adv.
Mr. Rajeev Kumar Jain, Adv.
...for the petitioners

Mr. Sukanta Ghosh, Adv.
...for the respondents

The Court : Counsel appearing on behalf of the petitioners submits that the interest of all the plaintiffs and the defendants in the suit has been purchased by him. The last person, that is, the plaintiff no. 3, Mr. Prahlad Rai Dhanania sold his share of the suit premises on 10th January, 2020.

Mr. Jain, learned counsel appearing on behalf of the petitioners submits that the Commissioner of Partition should now be directed to hand over the balance 25% of the suit premises to his client and the Commissioner of Partition (Receiver) should be discharged.

Counsel appearing on behalf of Mr. Prahlad Rai Dhanania also submits that he has no objection to the same.

Accordingly, the Commissioner of partition is directed to hand over the balance 25% of the property that is in his possession to the defendant no. 10/petitioner within a period of 15 days from date. The petitioners shall make payment of 10,000 GMs to the Commissioner of Partition as a one-time consolidated remuneration. The Commissioner of Partition shall be discharged upon completing the task as provided above.

The Commissioner should file the accounts and a report upon completion of the above task before this Court.

The application being G.A. No. 1097 of 2020 is disposed of.

(SHEKHAR B. SARAF, J.)