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ORDER SHEET

IA No. GA/15/2021

In

CS/251/2007

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

RUCHI SINGH DEO ALIAS ISHVARI RAJE SINGH DEO & ORS.

-VS-

SMT. MAHESHWARI DEBI

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 14th December, 2021.

[Via video conference]

Appearance:

Mr. Ranjan Bhawat, Sr. Adv.

Mr. Chayan Gupta, Adv.

Ms. Pooja Jewarajka, Adv.

Mr. Avirup Mondal, Adv.

Mr. A. Z. Mondal, Adv.

Mr. Varun Kedia, Adv.

The Court : This is an application for declaration that the Terms of Settlement executed by and between the parties to the suit is fraudulent and cannot be given effect to in respect of the trust properties of the Estate which do not form part of the plaint filed in the suit.

Learned counsel who seeks modification of the decree passed by this Court on 12th March, 2021 and appearing on behalf of one of the Trustees submits that the objection is confined to the plaintiff no.1(d), namely, Joyrudra Prasad Singh Deo having the right to mutate his name

as a Trustee over the trust properties under the Trust Deed. It is submitted that the plaintiff no. 1(d) cannot appoint himself as a Trustee in derogation of the provisions of the Trust Deed.

Learned counsel appearing for the plaintiff No. 1(d) seeks to file an affidavit.

Let affidavit-in-opposition be filed within four weeks from date; Reply two weeks thereafter.

List this matter after six weeks.

Until the matter is heard out on affidavits, plaintiff no.1(d) shall not take any steps with regard to mutation of property or claiming any right in respect of any trust properties of the Estate.

The affidavit-of-service filed in Court today be kept on record.

(MOUSHUMI BHATTACHARYA, J.)