

**22.12.2022**  
**sayandeep**  
**Sl. No. 21**  
**Ct. No. 05**

**WPA 25255 of 2022**

Fitwell Hosiery Corporation & Anr.  
-Versus-  
Union of India & Ors.

Mr. Kishore Dutta  
Mr. Ranabir Roy Chowdhury  
Mr. Supratic Shyamal  
Mr. Manik Gupta  
..... for the petitioners  
Mr. Bilwadal Bhattacharya  
Mr. Amajit Dey  
Mr. Sukanta Chakraborty  
.....for the CBI  
Mr. Neguive Ahmed  
....for the Committee

The Report of the one-man Committee is placed before the Court. The written communication of the Nodal Officer states that it is up to the CBI to decide whether the articles are required to be reserved for the purpose of the investigation.

It appears from the submissions made on behalf of the petitioners, CBI as well as the one-man Committee that none of the parties are interested in the articles. Learned DSG appearing for the CBI has specifically stated that the articles, which are kept in the concerned premises, are not the articles which had been seized by the CBI.

This Court is of the view that for justiciable solution to the matter and since the articles are presently lying in the premises rented by the petitioner No. 1, the proceeds from the sale of such articles should go to the depositors of Sarada. The one-man Committee

under Justice S.P. Talukdar (retd.) is hence requested to make suitable arrangements for making an inventory of the articles in the presence of one representative of the petitioners and one representative of the CBI on a designated date in January, 2023. The date shall be communicated by the one-man Committee to the parties by 6<sup>th</sup> January, 2023. The arrangements for sale of the articles by public auction shall be made by the one-man Committee. The incidental costs for holding such auction/sale shall be adjusted from the amount recovered from the sale of the articles.

Since the petitioners have been incurring monthly rental charges of a substantial amount of money (Rs. 60,000/-) for the property, the one-man Committee is directed to hold public auction within 21<sup>st</sup> January, 2023. Before the inventory is done, the representative of the CBI shall hand over the key of the room to a representative of the one-man Committee and after the articles are sold and/or removed from the property, the representative of the one-man Committee shall hand over the key to the petitioners' representative but not beyond one week from the completion of the sale/auction of the articles in question.

WPA 25255 of 2022 is disposed of in terms of the above.

**(Moushumi Bhattacharya, J.)**