

Item-1. 28-07-2023

sg Ct. 8

CPAN 391 of 2022
Chandra Prakash Gupta & Anr.
Versus
Satya Prakash Gupta & Anr.

In
FMAT 283 of 2021
With
FMAT 284 of 2021

Mr. Siddhartha Banerjee, Adv.
Mr. Shubham Gupta, Adv.
Mr. Raunak Shaw, Adv.

...for the applicants

Mr. Aritra Basu, Adv.
Ms. Sonia Sharma, Adv.

...for the alleged contemnors

Mr. Piyush Gupta appears in person and he has deposed that he has handed over the possession of the flat in question namely, Balaka Apartment at Kaikhali and he has not put any padlock on the entrance gate or on the doors of the flat concerned. Mr. Gupta has further stated that no belonging of Mr. Gupta is inside the said flat.

Under such circumstances, we dispose of the contempt application by directing the Receiver already appointed to break open the padlock of the entry gate of the flat and on the doors if any, and shall hand over possession of the said flat to the applicants in presence of the parties and upon intimation to the local police station.

The Receiver shall inform the learned Advocate for the parties about the date and time when he shall visit the said premises for implementing this order. The alleged contemnors and their advocates shall be present during handing over possession.

The Receiver shall be entitled to a remuneration of Rs.7000/- to be paid by the applicants.

All costs, charges and expenses towards Receiver's visit shall be borne by the applicants in addition to the remuneration.

The deposition of Mr. Gupta is recorded separately and shall form part of the record.

CPAN 391 of 2022 is, thus, disposed of.

Ms. Sonia Sharma, learned Counsel for the respondent undertakes to file vakalatnama in the department by 31st July, 2023.

(Kausik Chanda, J.)

(Soumen Sen, J.)