

OD-4

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

AOT 1 OF 2023
IN THE MATTER OF:
SUSAN REUBEN AND ANR.
VS
THE OFFICIAL TRUSTEE OF WEST BENGAL

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date : 25th September, 2023.

Appearance:
Mr. Ranjan Bachawat, Sr. Adv.
Mr. Rudraman Bhattacharyya, Adv.
Mr. Sushovit Dutt Majumder, Adv.
Ms. Pubali Sinha Chowdhury, Adv.
for petitioners
Mr. Indranil Nandi, Adv.
Mr. Sayak Koner, Adv.
For respondent no.1
Mr. Jishnu Saha, Sr. Adv.
Mr. Soumyajit Mishra, Adv.
For P.S. Group Realty Pvt. Ltd.
Mr. Krishnaraj Thaker, Adv.
Mr. Kaushik Mandal, Adv.
Mr. Satadeep Bhattacharyya, Adv.
For Nirmal Kr. Bathwal, Poonam Bathwal and Soham Bathwal

The Court : The lease in favour of Mr. Nirmal Kumar Bathwal, Ms. Poonam Bathwal and Mr. Soham Bathwal has been executed and registered on 16th September, 2023. The entire consideration for which the Bathwals obtained the lease has also been paid.

Since the Official Trustee of West Bengal has received the full consideration

from the Bathwals and is holding on to the same, the Official Trustee of West Bengal is directed to calculate the amount payable to P.S. Group Realty Pvt. Ltd. and the money that will be lying with the Official Trustee of West Bengal. The residual amount after making repayment to the P.S. Group Realty Pvt. Ltd. shall be the share of the Holy Church of Nazareth at Calcutta and the Church of St. John at Chinsurah.

The said residual sum shall be invested by the Official Trustee of West Bengal in a fixed deposit with a nationalised bank or any government securities earning the highest rate of interest to be decided by the Official Trustee of West Bengal pursuant to suggestions that may be given by the parties. The yearly interest shall be made over to Holy Church of Nazareth at Calcutta and the Church of St. John at Chinsurah on annual basis.

The Official Trustee of West Bengal shall after making the fixed deposit or investment in the government security, as the case may be, shall provide the particulars and details thereof to the parties and/or their learned advocates so that the parties may approach the Court in case of any default or dereliction of the direction given in this order.

AOT No.1 of 2023 is, accordingly, disposed of.

Since I have not called for affidavits, allegations contained in the said application are deemed to have not been admitted by the other stake holders.

(ARINDAM MUKHERJEE, J.)

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