

Item- 23. 09-09-2025

sg

Ct. 16

**FMA 1482 of 2025
CAN 1 of 2025**

Susama Rani Koner
Versus
Satyanarayan Cold Storage Pvt. Ltd. & Ors.

Mr. Pradyumna Sinha, Sr. Adv.
Mr. Sidhant Chowdhury
...for the appellant

1. Affidavit of service filed in Court is taken on record.
2. The appellant was a share-holder of the respondent no.1.
The respondent no.4 is the husband of the appellant. The respondent nos. 2 and 3 are the sons and the respondent nos.5 and 6 are the daughters-in-law of the respondent no.4.
3. In a suit for partition and accounts, the plaintiff prayed for ad interim order of injunction restraining the respondents from creating any third party interest in the cold storage business. It is an admitted position that the plaintiff resigned from the cold storage business in the year 2013 and she is having an independent business as an MR Dealer. There is no demand for any accounts in respect of the cold storage business wherefrom she resigned on 2013 and it was only in the suit that she made such claim for partition and accounts.
4. It is alleged in the plaint that the corpus of the cold storage business is the HUF of her husband who is the respondent no.4 and it is claimed that he has suffered from cerebral attack. It is further alleged that she has also

contributed in the formation of the cold storage business for which she was a shareholder as well till 2013.

5. However, the circumstances, under which she resigned and did not insist for the accounts, is the matter to be considered at the trial. At this stage, we do not find any reason to interfere with the order passed by the learned Trial Court save and except that the respondents may furnish accounts before the learned Trial Court on the returnable date with regard to the cold storage business.
6. We also direct the learned Trial Court, having regard to the nature of relationship between the parties, to refer the matter to mediation.
7. The Secretary, District Legal Services Authority, concerned, must appoint a competent mediator who can assist the parties to arrive at an amicable settlement.
8. The parties and their learned Advocates are directed to be present in the mediation proceeding and shall make all endeavour to resolve the dispute.
9. The appeal and the application are thus dismissed. However, there shall be no order as to costs.

(Soumen Sen, J.)

(Apurba Sinha Ray, J.)