

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

CS/220/2006
IA NO: GA/8/2024, GA/11/2024

SABRA SHAHNAZ & ANR.
VS
ASGHAR ALI & ORS.

BEFORE:

The Hon'ble JUSTICE BISWAROOP CHOWDHURY

Date : 5th August, 2025.

APPEARANCE:

Mr. Javed K. Sanwarwala, Adv.
Mr. Shariq A. Sanwarwala, Adv.
Ms. Sadaf Aafrin, Adv.
...for the plaintiffs.

Mr. Anupam Bhattachariya, Adv.
Mr. S. Thaker, Adv.
...for the defendant no. 1

Mr. Joyjit Ganguly, Adv.
Mr. Jatan Monga, Adv.
...for the Receiver.

1. Learned Advocate appearing for the plaintiff and learned Advocate for the defendant no.1 are present.
2. Mr. Ganguly, the learned Receiver appointed in this matter, is present.
3. Learned Advocate produces a written instruction from one of the surviving plaintiff to withdraw the instant suit.
4. Upon hearing the learned advocates and the learned Receiver, from the statement of accounts, it appears that Rs.2,99,828.62/- is lying on account of rents collected by the learned Receiver.

5. Learned Advocates submit that the learned Receiver be paid his remuneration and thereafter the parties be permitted to share the residuary amount.
6. Upon considering the submission of the learned Advocate and the written instruction issued by the plaintiff, this Court is of the view that this suit should be treated to be dismissed as withdrawn.
7. The interim order, if any, stands vacated.
8. Thus the suit no. 220/2006 is treated to be dismissed.
9. Learned Receiver is requested to deduct 3000 GMs from the amount which is lying. Upon holding meeting between the parties and their advocates learned Receiver shall distribute the balance amount. Thereafter, the learned Receiver shall close the account which is held at the PNB High Court Branch.
10. All pending interlocutory applications stands dismissed.
11. The written instruction be kept with the records.

(BISWAROOP CHOWDHURY, J.)