

OD-9

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

APO/5/2026
With CSOS/5/2024
IA No. GA/2/2026

AMRITA BISWAS AND ORS.

-VS-

RONENDRA CHOWDHURY, TRUSTEE OF BANDHAN EMPLOYEES
WELFARE TRUST AND ORS.

BEFORE:

The Hon'ble JUSTICE DEBANGSU BASAK

-AND-

The Hon'ble JUSTICE MD. SHABBAR RASHIDI

Date: June 9, 2026.

Appearance:

Mr. Samrat Das, Adv.
...for the appellants

Mr. Soumalya Ganguli, Adv.
...for the respondent

Mr. Soumabho Ghose, Adv.
Mrs. Ahana Ghosh Mondal, Adv.
...for the intervener

The Court: Appeal is at behest of 236 persons, who claim themselves to be the beneficiaries of a Trust. Appeal is directed against the judgment and order dated May 6, 2025 passed in an originating summons suit.

By the impugned judgment and order, learned Single Judge directed the joint Special Officers to sell immovable properties belonging to the Trust.

Appellants contend that, they are beneficiaries under the Trust. They are entitled to the sale proceeds of the properties of the Trust put up for sale.

In the appeal, learned advocate appearing for the respondent nos.1, 2 and 3 submits, on instruction, that, his clients do not object to the appellants being added as party respondents to the originating summons suit as appellants are beneficiaries.

Some of the beneficiaries are represented.

Learned advocate appearing for such beneficiaries also does not object to the prayer for addition made on behalf of the appellants. He, however, submits that, the properties be put up for sale and the sale proceeds be distributed in accordance with law.

In view of the stand taken by the respective parties in this appeal, as noted above, and in view of fact that the appellants before us are beneficiaries of the Trust as appearing from the materials placed on record, and since reliefs to immovable property of the Trust are sought in the proceeding, we deem it appropriate that, the appellants be added as party respondents in the pending originating summons suit.

The plaintiff in the originating summons suit will take appropriate steps to include the appellants as party respondents in the proceeding. Failure to do so will permit the appellants to take out appropriate application for amendment before the learned Single Judge.

It is contended on behalf of the trustees that, the term of Trust expired.

We are not minded to enter into such arena at this stage. All points including the point of tenure of the Trust are kept open.

APO/5/2026 along with pending connected application is disposed of, without any order as to costs.

(DEBANGSU BASAK, J.)

(MD. SHABBAR RASHIDI, J.)