

Appellant Vs. Respondent

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SooperKanoon Citation : sooperkanoon.com/1092898

Court : Kolkata

Decided On : Oct-07-2013

Judge : Nadira Patherya

Appellant : Appellant

Respondent : Respondent

Judgement :

ORDER

SHEET ACR No.4 of 2013 IN THE HIGH COURT AT CALCUTTA Ordinary Original Civil Jurisdiction ORIGINAL SIDE IN THE MATTER OF: SREE SREE RADHA RAMAN JIEW DEBUTTER ESTATE AND PASHUPATI ROY & ORS.BEFORE: The Hon'ble JUSTICE PATHERYA Date: 7th October, 2013 Appearance: Mr.Deepak Kumar Shome, Sr.Adv.with Mr.Nirmalya Dasgupta, Adv.Mr.Dibanath Dey, Adv..for the petitioner Mr.Aniruddha Ray, Adv.with Mr.Anujit Biswas, Adv..for the intending purchaser This is an application filed by the sebaits of the debutter estate seeking liberty to sell premises no.57A/2, Barrackpore Trunk Road, Kolkata in favour of VPH Construction.

By order dated 8th July, 2013 advertisements was directed to be published once in Bartaman and once in an English edition of The Statesmen.

Such publication has been effected on 6th August, 2013.

In spite of such publication none has appeared on behalf of M/s.U.P.

Metals & Iron Stores, who were the original lessees.

As VPH Construction represented through its proprietor Mr.Sanjib Bhattacharya is ready and willing to purchase the said premises at Rs.1 crore on as is where is whatever there is basis, let sale in favour of VPH Construction of 12, Bhabanath Sen Street, Kolkata - 700 004 be confirmed.

As the coffers of the estate is practically empty and is in need of sums to carry out the intention of the settlor i.e.to perform puja daily and also during festivals, this order is passed this day and sale is confirmed in favour of the purchaser mentioned above.

The considerations of Rs.1 crore be paid as follows: 50% of the consideration amount be paid in two equal instalments.

The first instalment of Rs.25 lakhs be paid by 9th October, 2013 and the second instalment of Rs.25 lakhs be paid by 31st October, 2013.

The balance 50% be paid by 13th November, 2013.

As the sale is conducted by Court, let the said sum be taken as the sale price for registration purpose.

Upon receipt of full consideration, steps be taken to execute necessary deed of conveyance by the sebaits.

Let the deed of conveyance be executed in the name of the purchaser or his nominee/nominees.

In view of the aforesaid, this application is disposed of.

All parties to act on a signed photocopy of this order on the usual undertakings.

(PATHERYA, J.) AKGoswami

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