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Pradeep Kumar Saraff Vs. Smt. Bina Devi Saraff and ors.

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SooperKanoon Citation : sooperkanoon.com/1162368

Court : Kolkata

Decided On : Aug-20-2014

Judge : Soumen Sen

Appellant : Pradeep Kumar Saraff

Respondent : Smt. Bina Devi Saraff and ors.

Judgement :

1 GA1484of 2014 WITH CS3of 2010 IN THE HIGH COURT AT CALCUTTA ORIGINAL SIDE PRADEEP KUMAR SARAFF VERSUS SMT.

BINA DEVI SARAFF & ORS.BEFORE: The Hon'ble JUSTICE SOUMEN SEN Date : 20th August, 2014.

Mr.Lal Ratan Mondal,Advocate appeaRs.Mr.Suvasish Sengupta,Advocate appeaRs.The Court :- Mr.Ramesh Sharma, a member of the Bar Library Club, High Court, Calcutta appointed as a Special Officer is directed to visit the premises in question and ascertain if any person by the name of Mr.Vinod Bhai Bodhra is in possession and/or occupation of any portion of the premises in question and, if so, under what arrangement and/or agreement and since when.

The Special Officer shall be entitled to enquire from the Vodafone about the details of Mr.Vinod Bhai Bodhra on the basis of the bills raised by Vodafone on the said person on 28th April,2014 and in the event any enquiry is made with the Vodafone, the said company shall disclose the details to the Special Officer who

shall include the same in a report to be filed in this proceeding.

The Special Officer shall also enquire from Mr.Vinod Bhai Bodhra having the mobile number 8336008003 regarding his possession in the suit premises and, if so, since when.

The Special Officer shall visit the premises without notice to any of the parties.

The report shall be filed on the returnable date.

The matter is adjourned for a fortnight.

The learned Counsel for the plaintiff Nos.1 and 2 submits that the plaintiffs are not be aware of Mr.Vinod Bhai Bodhra and they have not inducted any person by the name of Mr.Vinod Bhai Bodhra in the said premises.

In the event it is ultimately found that the statements made on behalf of the said plaintiffs are untrue, both civil and criminal prosecutions shall be initiated against the said plaintiffs for misleading the Court.

The Special Officer shall be entitled to an initial remuneration of 700 GMs.to be paid by the applicant/petitioner.

Certified website copies of this order, if applied for, be urgently supplied to the parties subject to compliance with all requisite formalities.

(SOUMEN SEN, J.) S.Chandra

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