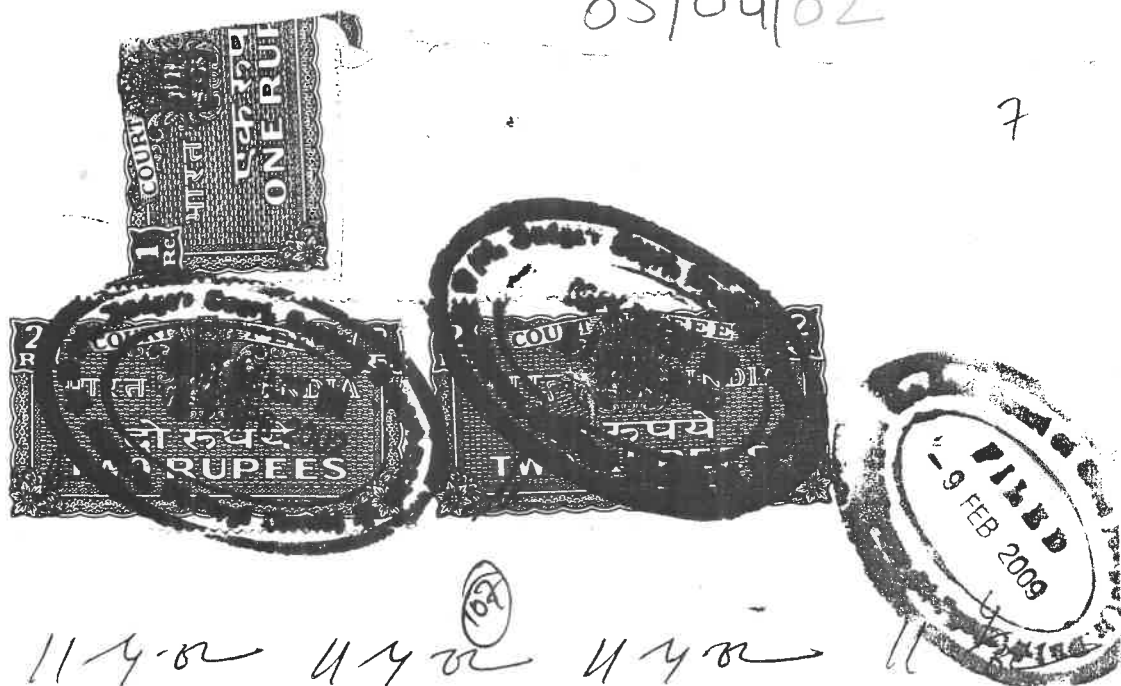


05/04/02

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ED 1897/02

In the Court of Id. District Judge at Alipore.

Misc. Case No. 217 of 2001.

Smt. Rangan Mala DasguptaAppellant.

Order no. 20 dated 5.4.2002.

Petitioner files hazira.

This is a petition purported to be one u/s 34 of the Indian Trustee Act, 1832, filed by one Smt. Ranganmala Dasgupta, as Managing Trustee to the trust estate created by one Jatindra Mohan Das Gupta by execution of a Will since probated, praying for permission to enter into agreement with Developers/promoters for development of a part of the property being premises No. 88, Ballygunge, Place, Kolkata and for getting it developed to raise funds for development of the estate as desired by the Testator.

The facts, in short, are that one Jatindra Mohan Das Gupta while owned and possessed of several properties house hold created a trust in respect of the same and dedicating the same unto the in favour of his family Deity Sri Sri Iswar Daya Nidhi represented by the two images of Radha and Gopinath incarnated to his Gurudev Sri Sri Ram Thakur by



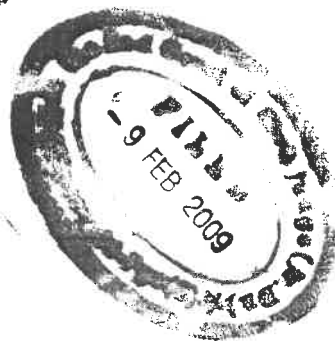
- 2 -

by Execution of a registered Will with the provisions, amongst others, that Board of Trustees would be at liberty to sell any part of the properties being premises No. 57, 59 and 59/1 Palm Avenue and 9, Broad Street to make the dedicated properties comprised at premises No. 87, Ballygunge Place. It is stated that the said Will has long been probated and estate is being administered in terms of the said probated Will.

It is ~~also~~ stated that with the advent of time, premises No. 57, 59 and 59/1, Palm Avenue has been acquired by the State Govt. under the provisions of the Land Acquisition Act and so far, no compensation has been received and there is no prospect of receiving any compensation in near future, whereby the income has totally scaled down making the seva puja and festivals impossible.

The petitioner, it is stated, in consultation with all Bhaktas and on their approval, has decided to develop a portion of the premises No. 87, Ballygunge Place for raising substantial funds to combat all the difficulties.

Having heard and considered the submissions and on



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consideration of the liabilities asset worth in the petition. I am of the opinion that the proposed development is necessary for the preservation, performance of seva puja and festivals,

It is accordingly,

Ordered

that the Misc. Case be allowed. Permission for entering into agreement with developers and permission for development or the put on position of the premises described in the schedule to that ^{after} payment of all liabilities of the state, the residue of the sale proceeds of the owners' allocation be invested in any Branch of the State Bank of India and liberty is granted to collect the interests accrued for seva puja and festivals and for management of the Debutter Estate. Permission for execution and registration of sale deeds, if any, from out of the owner's allocation in favour of the intending purchasers or to the nominee or nominee of the Developer is granted.

dictated & corrected.

Sd/- P. N. Sinha.
District Judge.

Sd/- P. N. Sinha
District Judge.

11/4/2

