



प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	स्टाम्प और फोलियो की अपेक्षित संख्या सूचित करने की निश्चित तारीख Date fixed for notifying the requisite number of stamps and folios.	अपेक्षित स्टाम्प और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.
26.2.91	4.3.91	4.3.91	5.3.91	6.3.91

West Bengal Form No. 3263.

High Court Form No. (J) 25.

Decree in Original Suit.

(Order 20, Rules 6 and 7, Code of Civil Procedure).

Instituted on 21.7.69 at 4th Sub Judge Alipore

No. T. S. 95 / 69.

District- 24 parganas.

In the 9th court of Sub-Judge at Alipore.

T. suit no. 115 of 1978.

Anadi Kumar Ghose, residing at 27/1, Harish Mukherjee Road,
Calcutta- 25.....plaintiff.

-Versus-

1. Bidyut Kr. Ghosh Barrister at Law.

2(a) Smt. Aloka Dutta w/o Sri Gouri Sankar Dutta. 82, Ram
Kristopur Lane, Howrah. 2.

Schedule of cost for the Court
Rs. P.

12 Application 4.80
Folio 1.00
Authenticity
Expenditure
Searching
Trading
Office
Total Rs. 5.80



12/10



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2(b) Smt. Sandhya Biswas, w/o Asit Ranjan Biswas of 14/16, Vivekananda Road. "A" Zone Durgapur 4.

3. Nirmal Kumar Ghose; Service holder.

4. Amal Kr. Ghose, Service Holder. 6. Ashim Kr. Ghosh, all residing at 27/1, Harish Mukherjee Road, Cal- 25. and defdt no. 4 at present 31, Nandan Road, P.S. Bhowanipur, Calcutta

7. Samarendra Nath Roy, residing at 1/7, Rup Chand Mukherjee Lane, Calcutta-25. last two being Trustees to the Estate of Benoy Kr. Ghosh.....Defendants.

Claim for- Suit for partition and accounts valued at Rs. 954186/- for partition and at Rs. 50/- tentatively for accounts.

This suit coming on this day final disposal before Sri A.K. Sen. S.J. in the presence of Sri Samar Kr. Das. Advocate in T.S. 115/78. for the plaintiff and of Sri S. N. Mukherjee Advocate for the defendqnt. It is ordered and decreed that Ordered.

That both the two suits bearing no. T.S. 115/78 and T.S. 116/78 be and are hereby decreed in the preliminary form on contest but without any cost. The Plaintiffs' right, title and interest to the extent of 8/42 share each in the properties of-



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- a) 27/1, Harish Mukherjee Road.
- b) 8A. Debendra Ghosh Road.
- c) 8, Monoharpukur Road.
- d) 10 Kathas of vacant land within 27/1. Harish Mukherjee Road.

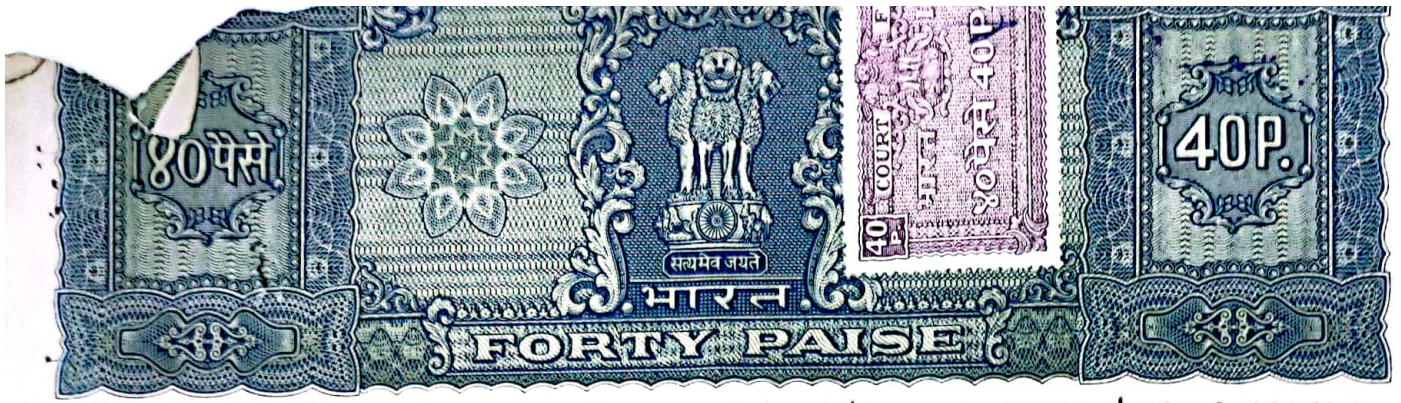
is hereby declared. The plaintiff's right, title and interest in both the two suits to the extent of 8/84th share each in the properties -

- a) 31, Anandan Road.
- b) properties at Haridebpur Mouza

is hereby declared.

The plaintiffs in both the two suits do get a decree for partition by metes and bounds in respect of the share in the suit properties as mentioned above.

Both the parties are directed to partition the suit properties amicably within 60 days from this day, failing which a pleader commissioner will be appointed on the application of the party for effecting partition by metes and bounds. Pleader commissioner if appointed shall be directed to partition the suit properties by maintaining the present possession as far as possible. Both the parties shall bear the costs of commission in proportion to their respective shares. The plaintiff in both two suits do get



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get a preliminary decree for accounts against the deftd.1.

The immoveable properties shown in the particulars given hereinafter belong to the estate of late Mr. Bimal Chandra Ghosh situate within the jurisdiction of this Court.

1) 27/1, Harish Mukherjee Road, P.S. Bhowanipur, Calcutta-25

2) 8-A. Debendra Ghosh Road. P.S. Bhowanipur, Cal- 25.

3) 8, Monohar Pukur Road, P.S. Bhowanipur ,Calcutta- 25.

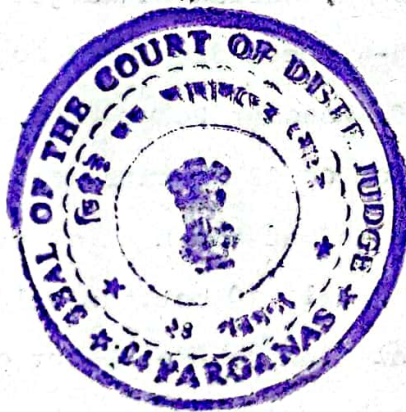
4) Out of 12 cottahs more or less of land situate on the East and at the back of premises no. 27/1, Harish Mukherjee Road, Cal, 10 cottahs belong to the estate of late Mr. Bimal Chandra Ghosh, Out of the said twelve cottahs four cottahs belonged to late Mr. Satish Chandra Ghose and the balance 8 cottahs was purchased by late Mr. Bimal Chandra Ghose.

5) Late Mr. Bimal Chandra Ghose and Mr. Benoy Kumar Ghose held jointly the following properties :-

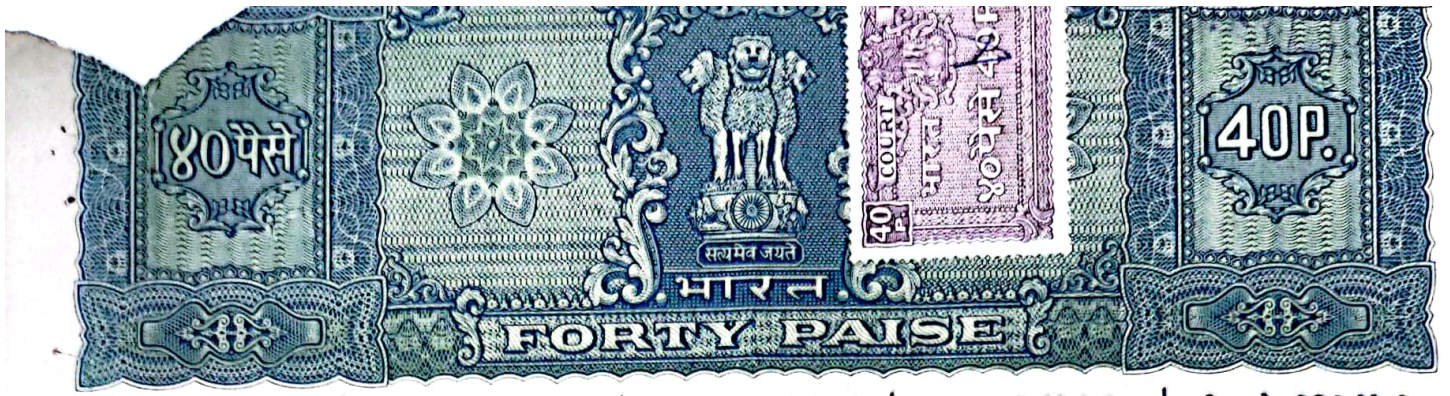
1) Half share each of 31/A Nandan Road, Calcutta.

2) The land mentioned in item no. 4 as hereinbefore stated in particular of paragraph of the plaint. 3) Emerald Hall,

Kurseong 2/3rd belonging to the estate of late Mr. Bimal Chandra Ghose and the other 1/3rd belonging to the Trustees to the estate of Mr. Benoy Kumar Ghose and this land belonged to late Mr. Satish



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Satish Chandra Ghose. This property has been sold out and the amount realised was in the hands of defendant no. 1 as the Karta and/or eldest male member of the joint family of late Mr. Bimal Chandra Ghose with which he built the 1st Floor of the annexe situate within the compound of no. 27/1, Harish Mukherjee Road but could not complete the same due to paucity of funds.

4) Large plots of land known as Judges Bagan at Haridebpur near Tollygunge the shares being half and half belonging to late Mr. Satish Chandra Ghose.

6) Late Mr. Bimal Chandra Ghose left several moveable properties inter alia shares in private and public limited companies, a list whereof will appear from the certified copy of the succession certificate obtained by defendant no. 1 a copy whereof is filed herewith. The defendant no. 1 also obtained a letter of Administration a certified copy where of is filed herewith. The said Bimal Chandra Ghose died leaving books, furniture.

8) The defendant No. claims that he has advance from time to time and or given loans to the estate of late Mr. Bimal Chandra Ghose, approximately a sum of Rs. 3, Lakhs and 50 (fifty) thousand and has claimed a lien on the shares in the said private and p 11 limit



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and public limited companies, value whereof will not exceed a sum of Rs. 1,40,000/- approximately. The defendant no. 3 has also made a claim that he has advanced Rs. 10,000/- . Both the defendants (Nos. 1 and 3) state such advances were made not gratuitously but for the benefit of the estate and the estate and/or all the cosharers have enjoyed the benefit therefrom.

Sd/- Sri A.K-Sen. Sub-Judge. 13.6.80.

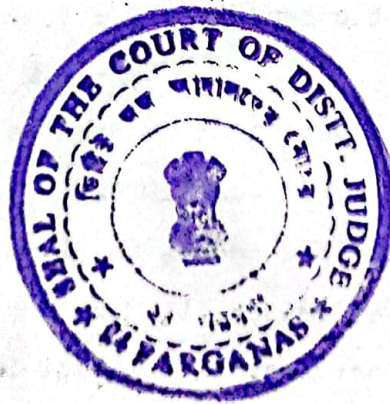
Given under my hand and the seal of this court this, 10th day of June 1980.

The addresses given above are the addresses filed by the parties for service. Sd/- illegible. 13.6.80.

11.6.80.

Costs of suit.

<u>Plaintiff.</u>	<u>Rs. P.</u>
1. Stamp for plaint...	18. 75
2. Stamp for power....	1. 00
3. Stamp for petitions and affida its...	15. 00
5. Pleadings fees on Rs. 954236/-....	5000. 00
7. Process fees...	8. 00
9. Demi paper....	1. 50
11. Other costs allowed under the code and civil Rules and orders..	8. 00
	<u>Total. 5052. 25</u>



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<u>Defendant.</u>	Rs. p.
1. Stamp for power.....	1. 00
2. Stamp for petitions and affidavits...	9. 00
4. Pleaders fee -945236/-...	5000. 00
8. Demi paper...	1. 00
10. Other costs allowed under the Code and civil Rules and orders. . .	4. 00
Total	5015. 00

Typed by
dt

[Handwritten Signature]
6/3/91



Sridhar Chatterjee
 05-03-91
 Alipore
 Dist. Judge's Court

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CERTIFIED TO BE TRUE COPY
Sudhik Ranjan Datta
 Serisadar, Sub-Judge's Court
 Munsif's Court, Alipore
 Head Comparing Clerk, Alipore,
 Attested w/s 76 of Act I of 1872.