

ITEM NO.303

COURT NO.5

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).16152-16197/2022

[Arising out of impugned final judgment and order dated 26-04-2022 in APD No. 269/2018 26-04-2022 in APD No. 270/2018 26-04-2022 in APD No. 271/2018 26-04-2022 in APD No. 272/2018 26-04-2022 in APD No. 288/2018 26-04-2022 in APD No. 289/2018 26-04-2022 in APD No. 290/2018 26-04-2022 in APD No. 291/2018 26-04-2022 in APD No. 292/2018 26-04-2022 in APD No. 293/2018 26-04-2022 in APD No. 294/2018 26-04-2022 in APD No. 295/2018 26-04-2022 in APD No. 296/2018 26-04-2022 in APD No. 297/2018 26-04-2022 in APD No. 298/2018 26-04-2022 in APD No. 310/2018 26-04-2022 in APD No. 311/2018 26-04-2022 in APD No. 312/2018 26-04-2022 in APD No. 313/2018 26-04-2022 in APD No. 314/2018 26-04-2022 in APD No. 315/2018 26-04-2022 in APD No. 316/2018 26-04-2022 in APD No. 317/2018 26-04-2022 in APD No. 318/2018 26-04-2022 in APD No. 319/2018 26-04-2022 in APD No. 320/2018 26-04-2022 in APD No. 321/2018 26-04-2022 in APD No. 322/2018 26-04-2022 in APD No. 323/2018 26-04-2022 in APD No. 324/2018 26-04-2022 in APD No. 325/2018 26-04-2022 in APD No. 326/2018 26-04-2022 in APD No. 327/2018 26-04-2022 in APD No. 328/2018 26-04-2022 in APD No. 329/2018 26-04-2022 in APD No. 330/2018 26-04-2022 in APD No. 331/2018 26-04-2022 in APD No. 332/2018 26-04-2022 in APD No. 333/2018 26-04-2022 in APD No. 334/2018 26-04-2022 in APD No. 335/2018 26-04-2022 in APD No. 336/2018 26-04-2022 in APD No. 337/2018 26-04-2022 in APD No. 338/2018 26-04-2022 in APD No. 339/2018 26-04-2022 in APD No. 340/2018 passed by the High Court at Calcutta]

RAJ KUMAR GHOSH & ANR.

Petitioner(s)

VERSUS

JYOTI BISWAS & ORS.

Respondent(s)

[FOR FINAL DISPOSAL] [MS. AYANTIKA ROY, LD. ADVOCATE RECEIVER APPOINTED BY THIS HON'BLE COURT].....[PART HEARD BY: HON'BLE MR. JUSTICE J.B. PARDIWALA AND HON'BLE MR. JUSTICE K.V. VISWANATHAN]

IA No. 18747/2026 - APPLICATION FOR PERMISSION

IA No. 247802/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 3639/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 333739/2025 - CLARIFICATION/DIRECTION

IA No. 315452/2025 - EXTENSION OF TIME

IA No. 305761/2025 - EXTENSION OF TIME

IA No. 143421/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 20034/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 136278/2022 - PERMISSION TO FILE LENGTHY LIST OF DATES
IA No.204738/2026 - APPROPRIATE ORDERS/DIRECTIONS

Date : 22-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :Dr. Devashish Bharuka, Sr. Adv.
Mr. Rohit Das, Adv.
Mr. Rishad Ahmed Chowdhury, AOR
Ms. Karishma Maria, Adv.
Ms. Ahona Chatterjee, Adv.
Ms. Sohini Sanyal, Adv.

For Respondent(s) :Mr. Arup Banerjee, AOR
Ms. Noelle Banerjee, Adv.
Mr. Sidhartha Sharma, Adv.
Mr. Aman Kataruka, Adv.
Ms. Nelakshi Singhal, Adv.

Mr. Debojyoti Bhattacharya, Adv.
Mrs. Momota C. Bhattacharya, Adv.
Ms. Upma Shrivastava, AOR

Ms. Mrinmoi Chatterjee, AOR

Petitioner-in-person, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. I.A. No.204738/2026 is allowed.
2. The applicant in the I.A. No.204738/2026 has prayed for the following reliefs:-

"A. Direction upon the Ld. Receiver to temporarily open the padlock to the shop room, on the Ground Floor, RT- 6 at 2, Jawaharlal Nehru Road, Kolkata – 700013, to enable the Applicant, M/s. Harlalka Brothers, Respondent No. 27

to remove the merchandise/stock from the premises in the presence of the Ld. Receiver or any other person assigned by the receiver or this Hon'ble Court may deem fit and proper;

B. Ad-interim order in terms of the prayers above

C. Pass such other or further order(s) as this Hon'ble Court deems fit and proper in the facts and circumstances of the case and in the interest of justice."

3. All that the applicant wants is that he may be permitted to remove the articles/goods which are lying as on date in the shop which earlier he was occupying.

4. We request the learned Receiver to allow the applicant to remove the articles/goods and once the goods are removed, the Receiver shall once again apply locks in the shop in question.

5. With the aforesaid, the interlocutory application stands disposed of.

6. We are further informed by the learned counsel appearing for *J Biswas & Company* and *New Zeeshan Restaurant*, respectively that they are paying their rent on regular basis.

7. In pursuance of our order dated 11.03.2026, the necessary amount has been paid to the learned Receiver for the purpose of installation of CCTV cameras.

8. We are informed by the learned Receiver that the CCTV cameras are now operational.

9. The learned Receiver has one very serious grievance to redress that her remuneration as fixed by this Court is not being paid on

time. She has to repeatedly remind the petitioner to make the necessary payment.

10. We make it very clear that the payment shall be made dot on the first date of the new month to the learned Receiver.

11. Dr. Devashish Bharuka, the learned senior counsel appearing for the petitioner undertakes that the payment shall be made on regular basis on first of each month.

12. By our order dated 11.03.2026, we had also made ourselves very clear that the matter should be now fixed for final hearing.

13. We have monitored this litigation for quite a long time. It will be in the interest of both sides if the main matter is now heard.

14. We release the Special Leave Petitions from being treated as part-heard. Let these matters be now placed before appropriate Bench as may be directed by the Hon'ble the Chief Justice of India.

(HARPREET KAUR)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)