

**CM Nos.14536-37-C of 2016 in/and
RSA No.1625 of 2005
Date of Decision: 27.10.2016**

Versus

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Mr. Ritesh Datta, Advocate
for respondent No.3.

RAJ MOHAN SINGH, J.(Oral)

CM No.14536-C of 2016

Prayer in this application is for bringing on record legal representatives of deceased appellant No.3-Balbir who died on 06.01.2008 during pendency of the appeal.

For the reasons mentioned in the application, legal representatives of deceased appellant No.3-Balbair namely Ram Kumar and Naresh Kumar sons of Balbir are ordered to be brought on record subject to all just exceptions.

Amended memo of parties is taken on record.

Application stands disposed of.

CM No.14537-C of 2016

Applicants-appellants seek to withdraw this appeal on account of settlement arrived at between the parties.

Notice of this application to non-applicant respondent No.3.

Mr. Ritesh Datta, Advocate appeared on behalf of respondent No.3 and admits the factum of compromise. Therefore, the application is allowed. Main appeal is taken up today.

RSA No.1625 of 2005

For the reasons mentioned in the application i.e. CM No.14537-C of 2016, the present appeal is ordered to be dismissed as withdrawn.

Dismissed as withdrawn.

27.10.2016

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**(RAJ MOHAN SINGH)
JUDGE**

Whether reasoned/speaking Yes/No

Whether reportable Yes/No