

OD-11

IA NO: GA/1/2021
In AP/240/2017
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Via Video Conference)

MAGMA FINCORP LIMITED

Versus

KANCHAN PATHAK & ORS.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 19th July, 2021.

Appearance:

Mr.P.Sinha, Adv.

The Court: The advocate-on-record of the petitioner prays for recalling of an order dated 1st August, 2017 by which the respondents were restrained from dealing with or alienating or creating any third party interests in respect of the Scheduled property. By the said order, AP No. 240 of 2017 was disposed of. It is submitted that the parties have since settled their disputes out of Court.

Upon hearing the above submissions, the Court finds that the application specifically states in paragraph 13 that disputes between the parties have been settled out of Court and that the petitioner has issued a 'no objection

certificate' to the respondents intimating them that all the dues under the loan account have been received by the petitioner.

In view of the above, since the present application has been filed for settlement, the order dated 1st August 2017 is recalled.

Since AP No.240 of 2017 had already been disposed of by the order dated 1st August 2017, no further orders are required.

GA No.1 of 2021 is disposed of in terms of the above.

(MOUSHUMI BHATTACHARYA, J.)

D.Ghosh