

ORDER

IA NO: GA/4/2021
IN
APD/208/2015
CS/12/2000
IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

PUBALI BANK LTD.
Versus
NAGREEKA EXPORTS LTD. & ORS.

BEFORE:

The Hon'ble JUSTICE SOUMEN SEN

The Hon'ble JUSTICE SAUGATA BHATTACHARYYA

Date : 23rd March, 2021.

APPEARANCE:

Mr. Jayanta Sengupta, Advocate.

Ms. Sweta Gandhi, Advocate.

The applicant is the respondent No.1 in the appeal.

This is an application for modification and recording of satisfaction of the decree dated 11th April 2014 read with our judgment and decree dated 20th November 2019. It appears that after the appellate decree was passed, on 22nd January 2021, the appellant and the respondent No.1 had entered into a settlement and had agreed to settle their disputes on the basis of a Terms of Settlement claimed to have been entered into on 22nd January 2021.

In view of the fact that the settlement was arrived at after the appellate decree was passed, there is no scope for us to record satisfaction of the decree. The original Terms of Settlement duly signed on 22nd January 2021 by the attorneys of the appellant and the respondent No.1 and the respective parties, in

accordance with Order XXIII Rule 3 of the Code of Civil Procedure, 1908, is annexed to the petition. The parties have now agreed to settle their disputes on the basis of such Terms of Settlement. The parties are free to take appropriate steps in accordance with law for enforcement of the said Terms of Settlement, if so advised.

The application, accordingly, stands disposed of with the aforesaid observations.

The original Terms of Settlement may be returned to the applicant upon furnishing a photostat copy of the same, so as to enable the applicant to take steps in accordance with law.

The appellate decree shall be drawn up as expeditiously as possible.

(SOUMEN SEN, J.)

(SAUGATA BHATTACHARYYA, J.)