

22.12.2021
KC(4w)

F.A. 195 of 2017
Saha Distributors
-versus-
B.M. Paul Chowdhury and Co. Pvt. Ltd. and Ors.
With
CAN 1 of 2021
With
CAN 2 of 2021

Mr. Prashant Agarwal,
Mr. Saroj Tulsiyan.....For the appellant.

Mr. Aniruddha Chatterjee,
Mr. Rahul Karmakar,
Mr. Debabrata RoyFor the respondent.

Re: CAN 2 of 2021.

This is a joint petition by the parties asking the court to record a terms of settlement dated 15th December, 2021, being Annexure - A thereto and enumerated in paragraph 13 of the petition and to pass a decree thereof.

We have perused the terms. They appear to be lawful. We find at page 19 of the petition that it has been signed by the learned advocates for the parties. The terms as annexed are signed by the parties. Together, the requirements of Order XXIII Rule 3 of the Code of Civil Procedure are complied with.

We pass a decree in accordance with the said terms.

The department is directed to draw up the decree expeditiously and furnish a certified copy thereof to the parties.

Order also in terms of prayer (ii) of the petition on the condition that the advocate-on-record for the petitioner no. 1 shall furnish copies of those records to the satisfaction of the competent officer in the department, which are to be retained as part of the records of this court.

The Registrar General will return the money required to be handed back in terms of clause 14 of the settlement as expeditiously as possible, preferably within four weeks from date.

CAN 1 of 2021 is appearing by mistake, being already disposed of.

The appeal (F.A. 195 of 2017) and the connected application (CAN 2 of 2021) are disposed of.

(I.P. MUKERJI, J.)

(ANIRUDDHA ROY, J.)