

14.12.2021
Ct. 21
D/L 8
ab

C.O. 1507 of 2021
(Via Video Conference)

Sarit Kumar Bose
-Vs-
Smt. Indira Sengupta & Ors.

Mr. Shaunak Ghosh,
Mr. Sourav Mondal,

... for the petitioner

Mr. Suhrid Sur,

... for the opposite party No. 1

Parties are represented by their respective learned advocates.

It has been submitted by the learned advocates for both the parties that the landlord/petitioner has filed an eviction suit against the opposite party No. 1.

The landlord/petitioner obtained a decree in the Ejectment Suit No. 84 of 2016 on 22.02.2012. The tenant opposite party no. 1 preferred an appeal against eviction decree before learned District Judge, Alipore, being Ejectment Appeal No. 3 of 2021 and filed a petition for stay of the operation of the decree of eviction. Learned Appellate Court, while granting stay of the operation of the decree of eviction, directed the opposite party No. 1 to pay occupational charges at the rate of Rs. 15,000/- per month. The landlord/petitioner being dissatisfied with the order of stay has moved the present revisional application.

It has been further submitted during the pendency of this revisional application, the parties have amicably settled their disputes on the conditions that

the opposite party No. 1 will vacate the decreetal tenancy by 5th January, 2022 and will pay the occupational charge for the month of December, 2021 by 5th January, 2022. The landlord/petitioner has agreed not to file any suit for mesne profit and arrear rent provided the opposite party No. 1 vacates the decreetal property by 5th January, 2022.

Both the parties have also filed their respective written instructions given by their clients. Let the same be retained in the record.

Since the parties have settled their disputes amicably out of Court and the petitioner is not interested to proceed with the present revisional application, the revisional application being **C.O. 1507 of 2021** is disposed of.

However, if any one of the parties fails to comply the undertaking mentioned above, then Appeal and Execution case will proceed in accordance with law.

There shall be no order as to costs.

Parties are to act on the server copy of this order duly downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon compliance of all formalities.

(**Kesang Doma Bhutia, J.**)