

OD-10

IA No.GA/1/2021
IN
CS/215/2019

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

PAWAN KUMAR AGARWAL
Versus
VIJAY KUMAR AGARWAL AND ORS.

BEFORE:
The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA
Date : 6th April, 2021.

Appearance:
Ms. Manju Agarwal, Adv.
Mr. Bajrang Manot, Adv.
..for the plaintiff

Ms. Geetika Agarwal, Adv.
..for the defendant nos.1 to 5

The Court: This is an application for disposing of the suit on the basis of a Terms of Settlement dated 20th February, 2021 entered into between the parties.

The original Terms of Settlement has been annexed to this application and records in Clause 13 that the plaintiff filed the suit being CS/215/2019 for a declaration that the plaintiff is the owner of 50% undivided share of premises no.65, Strand Road, Kolkata 700 006 and other declarations with regard to the plaintiff's entitlement of 1/3rd undivided share of the property as mentioned in prayer (b) of the plaint. Clause 14 of the Terms records the fact that the parties have amicably settled the dispute and that the suit should be decreed in terms of prayers (a) and (b) which have been mentioned above.

Counsel for the plaintiff is present in Court today and so is the advocate-on-record of all the defendants.

In view of the Terms of Settlement dated 20th February, 2021 and the specific clauses therein, this Court finds no impediment in decreeing the suit in terms of the settlement arrived at between the parties and more specifically the Terms of Settlement dated 20th February, 2021.

CS/215/2019 is accordingly decreed. All connected applications are also disposed of. Interim orders, if any, shall stand vacated.

The defendants are given leave to file the Vakalatnama in the department in course of today.

GA/1/2021 is disposed of on the above basis.

(MOUSHUMI BHATTACHARYA, J.)

bp.