

OD-5

ORDER SHEET
IA NO. GA/4/2021
CS/172/2018
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

KUM KUM MARCANTILE PRIVATE LIMITED
Vs
SURESH KAPUR & OTHERS

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 23rd JULY, 2021.

Appearance :
Mr. Manju Manot, Adv.

Mr. P. Saha, Adv.

Mr. A. Chowdhury, Adv.

Mr. G. Agarwal, Adv.

Mr. S. Saha, Adv.

Mr. A. Chaudhury, Adv.

The Court : Learned Counsel appearing for the plaintiff/petitioner submits that the disputes in the suit relates between the plaintiff and the defendant No.12 and pursuant to a Terms of Settlement dated 15th January, 2021, such disputes have been settled.

The Counsel places the relevant clauses in the Terms which records that the defendant No.12 has paid a sum of Rs.35 lakhs to the plaintiff for conveyance of 15% of the undivided shares of the property situated in Kolkata. The Terms further records that the deed of conveyance shall be executed in

favour of defendant No.12 after the decree is drawn up by the Court which should be in Terms of the Settlement.

The other defendants are present.

In view of the Terms of Settlement which has been made part of the application and by reason of a fact that the dispute between the plaintiff and the defendant No.12 forming the subject matter of the suit has been settled through such Terms, GA No.4 of 2021 which is for recording that the disputes between the parties have been settled is allowed.

CS No.172 of 2018 is decreed and disposed of in terms of the Terms of Settlement dated 15th June, 2021 which is part of the application and kept on record.

As requested by learned Counsel appearing for the defendant No.8, the allegation made against the defendant No.8 is deemed not to have been admitted.

(MOUSHUMI BHATTACHARYA, J.)