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Ct. 18
13.05.2022

S.A. No. 437 of 2007
I.A. No : CAN 2 of 2009 (Old No : CAN 4300 of 2009)
CAN 3 of 2011 (Old No : CAN 7966 of 2011)
CAN 5 of 2022

**Kanailal Dey, since deceased, substituted by his
heirs and legal representatives, namely, Smt.
Reba Dey, since deceased, substituted by her
heirs and legal representatives, namely,
Haladhar Dey & Anr.**

Vs.

Hindustan Copper Limited

Mr. Shourio Mukherjee,
Mr. Joydeep Guha,
Ms. Sruti Datta ... For the appellants.

Mr. Guddu Singh ... For the respondent.

Re : I.A. No : CAN 5 of 2022

This is an application filed by the appellants praying that the present second appeal be disposed of in terms of the deed of settlement dated April 20, 2022 annexed to the application.

Such prayer cannot be allowed on the application of the appellants alone. Learned counsel for the appellants submits that since parties have settled their dispute his clients are not willing to proceed with the present second appeal, he prays that the appeal may be dismissed as not pressed.

In view of such stand of the appellants, S.A. 437 of 2007 along with the present application being I.A. No : CAN 5 of 2022 is dismissed as not pressed. There shall be no order as to costs.

The department is directed to send down the Lower Court Records immediately.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Biswajit Basu, J.)