

(05)
19.04.2022
(p.jana)

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION**

**SA No. 106 of 2017
(IA No: CAN 1/2016)(Old No: CAN 9985/2016)
(IA No: CAN 2/2017)(Old No: CAN 7511/2017)
(CAN 4 of 2022)**

**Sri Matilal Das
-versus-
Sri Tapan Kumar Bhattacharjee & anr.**

Mr. Mir Anowar,
... for the appellant.
Mr. Aritra Shankar Ray,
... for the respondent no. 1 & 2(a).

Mr. Mir Anowar, learned counsel for the appellant, submits that the parties have settled their dispute amicably out of Court and have entered into an agreement for compromise.

He further submits that the appellant has filed an application being CAN 4 of 2022 for disposal of the appeal in terms of the said agreement for compromise.

Mr. Aritra Shankar Ray, learned counsel, appears for the respondent no. 1 and 2(a). The respondent no. 2 is not represented.

In the absence of the said respondent no. 2, the appeal cannot be disposed of by compromise.

Mr. Anowar submits that since the disputes between the parties have been settled, the appeal may be dismissed as not pressed.

In view of said submission of Mr. Anowar, SA 106 of 2017 is **dismissed as not pressed**.

Interim order, if there be any, stands vacated.

The application being CAN 4 of 2022 is disposed of accordingly. In view of dismissal of the appeal, the other pending applications being IA No: CAN 1/2016(Old No: CAN 9985/2016) and IA No: CAN 2/2017(Old No: CAN 7511/2017) have become infructuous and are also dismissed as such.

There shall be no order as to costs.

The department is directed to send down the lower Court record immediately.

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

(Biswajit Basu, J.)