

(12)
06.07.2022
(p.jana)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
CO No. 984 of 2018
(IA No: CAN 3 of 2022)

Smt. Kanika Ghosh(since deceased)
Raja Ghosh & ors.
-versus-
Avery India Ltd. & anr.

Mr. Tarak Nath Halder, ... for the petitioners.

Mr. Souradipta Banerjee,
Ms. Damayanti Kundu, ... for the opposite parties.

The parties have settled their dispute amicably out of Court and in terms of such settlement, the defendants have handed over the possession of the suit property and have also paid all arrear rents to the plaintiffs.

In view of the said settlement, the parties have now filed the instant application being IA No: CAN 3 of 2022 praying dismissal of the connected suit.

The parties since have settled their dispute. In view of such development, there is nothing left to be decided in the said suit, as such the Ejectment Suit No. 55 of 2006(*Sri Prantosh Sur & Ors. vs. Avery India Limited & Anr.*) pending before the 4th Court of learned Civil Judge (Junior Division) Sealdah is dismissed as not pressed.

The learned Trial Judge, on communication of this order, shall record formal order of dismissal of the said suit in the records.

Mr. Halder, learned advocate for the plaintiffs/petitioners prays that his clients may be

permitted to withdraw the rents deposited by the defendants in the suit. Mr. Banerjee, learned advocate for the defendants/opposite parties consented to the said prayer of Mr. Halder.

That being the position, the plaintiffs are at liberty to apply before the learned Trial Judge seeking permission to withdraw such rents, if any.

CO No. 984 of 2018 along with the connected application being **IA No: CAN 3 of 2022** are **disposed of** with the above terms without any order as to costs.

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.)