

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 462 of 2016

Shubhankar Acharya and others

....

Petitioner

Mr. Partha Mukherji, Advocate

-Versus-

Bandana Behera

....

Opposite Party

None

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
08.12.2022

Order No.

- 06.
1. Heard learned counsel for the petitioner. None appears for the opposite party at the time of call.
 2. In fact, pursuant to the direction of this Court dated 26th September, 2022, the parties appeared before the District Legal Service Authority, Boudh for the purpose of mediation. In the meantime, the mediation was held and report has been received from the Secretary, DLSA, Boudh, which is at Flag-2 and the same is perused by this Court.
 3. Mr. Partha Mukharjee, learned counsel for the petitioner submits that after such settlement, the opposite party received a sum of Rs.4,40,000/- (Rupees Four lacs forty thousand) only towards full and final settlement. In support of such claim, an affidavit is filed by the petitioner accompanied with the bank statement and a photo copy of the cheque.

4. In view of the settlement reached at between the parties, since opposite party received the amount and appeared to have been received by her, as is evident from the report of the Secretary, DLSA, Boudh at Annexure-D, no purpose would be served to allow the proceeding to continue against the petitioner and therefore, it should be quashed in the interest of justice.

5. Considering the report as at Flag-2 and the understanding between the parties and settlement amicably reached at pursuant to order dated 27th July, 2022, the Court is of the view that the proceeding should be quashed.

6. Accordingly, it is ordered.

7. Consequently, the CRLMC stands allowed.

8. In the result, the proceeding in M.C. No.24 of 2013 in the court of learned S.D.J.M., Boudh is hereby quashed.

9. Issue urgent certified copy of this order on proper application.

(R.K. Pattanaik)
Judge