

28.04.2023

Court : 04
Item : DL-279
Matter : FMA
Status : DO
Bench ID : 266048
Transcriber: NANDY

FMA 843 of 2013
with
CAN 2 of 2022

Ramen Paul
Vs.
Md. Shah Alam

Mr. Ramen Paul

.....Appellant-in-person

Mr. Javed K. Sanwarwala, Advocate

Mr. Shariq A. Sanwarwala, Advocate

.....for the Respondent

Ms. Seema Ghosh, Advocate

.....learned Receiver

Pursuant to the order dated 14.12.2022, the Receiver undertook the exercise entrusted upon her and submits the report before us. The report revealed that the shifting of the articles kept in the tenanted premises has been completed and the possession of the tenanted premises has been handed over to the applicant of CAN 2 of 2022.

In view of the above, since the possession has been given to the landlord, the application being **CAN 2 of 2022** is **disposed of**.

By the said order dated 14.12.2022, we directed the parties to explore the possibility of amicable solution to their disputes through mediation. The Mediator submitted the report before us wherein it is indicated that the parties have agreed to settle the dispute and the terms of settlement duly signed by them, is also annexed to the report submitted by the Mediator.

Since the parties have already settled the dispute on the basis of the terms of settlement incorporated in the report submitted by the Mediator, the instant appeal being **FMA 843 of 2013** is **disposed of** on the basis thereof.

It is informed by the learned Receiver that the keys of the padlock put at the entrance of the godown are lying with her. Since the appellant is appearing in person and the other contesting respondents are represented by the Counsel, the Receiver is directed to distribute the keys equally to the appellant appearing in-person as well as to the learned Advocate appearing for the contesting respondents by Monday i.e. 01.05.2023.

So far as the remuneration of the Receiver is concerned, both the parties are directed to pay a final remuneration of Rs.10,000/- each, to the Receiver within a week from date.

Since the Receiver has already completed the exercise, she is discharged.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)